



# City of Sunnyvale

## Meeting Minutes - Final Planning Commission

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Monday, April 23, 2018

6:30 PM

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

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**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.      [18-0360](#)**

**File #:** 2017-7886

**Location:** 1230-1290 Oakmead Parkway

**Zoning:** Manufacturing and Services (M-S)

**Proposed Project:** Related applications on a 8.09-acre site:

**USE PERMIT/SPECIAL DEVELOPMENT PERMIT:** To allow  
site and building modifications to an existing office building  
complex resulting in 7,449 net new square footage (42% FAR).

**Applicant / Owner:** Embarcadero Realty Services (Applicant) /  
Oakmead Terrace LLC (owner)

**Environmental Review:** Mitigated/Negative Declaration

**Project Planner:** Cindy Hom, (408) 730-7411, [chom@sunnyvale.ca.gov](mailto:chom@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 7:05 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**

Vice Chair Weiss moved and Commissioner Howe 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**     [18-0386](#)     Approve Planning Commission Meeting Minutes of April 9, 2018
- 1. B**     [18-0408](#)     REQUEST FOR CONTINUANCE TO MAY 14, 2018  
Amend the Lawrence Station Area Plan: Forward a Recommendation to the City Council to Select a Preferred Housing Study.  
Project Planner: George Schroeder, (408) 730-7443, gschroeder@sunnyvale.ca.gov
- 1. C**     [18-0411](#)     REQUEST FOR CONTINUANCE TO MAY 14, 2018  
**File #:** 2017-7765  
**Location:** 814 Coolidge Avenue (APN: 165-17-017)  
**Zoning:** R-2 (Low Medium Density Residential)  
**Proposed Project:**  
    **DESIGN REVIEW** to allow for 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 51% floor area ratio. Variance request is for a reduced front setback, continuation of a legal, non-conforming side yard setback, and to

exceed the 45% maximum lot coverage on an existing substandard R-2 lot.

**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

## **PUBLIC HEARINGS/GENERAL BUSINESS**

### **2. [18-0359](#)**

#### **Proposed Project:**

**Special Development Permit:** to allow for a Large Family Child Care home (LFCCH) in a townhome community that is not located within 300 feet of another LFCCH.

**Location:** 1694 Belleville Way (APN: 320-01-055)

**File #:** 2017-7388

**Zoning:** Low Medium Residential (R-2) with Planned Development Combining District (PD)

**Applicant / Owner:** Deepa's Daycare (applicant) / Deepa Darshaukumar (owner)

**Environmental Review:** A statutory exemption relieves this project from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15274 (Large Family Day Care Homes).

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

Associate Planner Cindy Hom presented the staff report.

Commissioner Howard asked staff about limits for the scheduled outdoor playtime. Assistant Director Andrew Miner advised that the Conditions of Approval (COA) limit the outdoor playtime to between 10 AM and 5 PM but do not limit the total amount of time.

Commissioner Simons clarified with Associate Planner Hom that staff is requesting the inclusion of Attachment 7 in the COA.

Commissioner Simons asked staff about the future possibility of incompatibility with the Special Development Permit findings. Assistant Director Miner stated that the Large Family Child Care Home (LFCCH) would be allowed to operate if it meets the COA and that the Planning Commission can modify the COA to address any specific concerns.

Commissioner Olevson asked staff about the application of the Health & Safety

Code to multifamily homes. Assistant Director Miner explained that all multifamily uses must go through the Use Permit process and provided additional information about LFCCH in single family homes. Senior Assistant City Attorney Rebecca Moon commented that state law invalidates any Covenants, Conditions and Restrictions (CC&R's) that would prohibit use of either a single or multifamily home for a LFCCH.

Vice Chair Weiss confirmed the existence of a licensed multifamily LFCCH in the City with Associate Planner Hom. Assistant Director Miner commented on the zoning code change which provided greater discretion for LFCCH in multifamily homes.

Vice Chair Weiss commented on the state law invalidation of CC&R's. Senior Assistant City Attorney Moon provided additional information about this regulation.

Vice Chair Weiss clarified the location of the play area with Assistant Director Miner.

Commissioner Howe confirmed with Associate Planner Hom that the HOA board has not submitted their formal position to the City but that residents of the townhome are present at the public hearing.

Commissioner Howe confirmed with Associate Planner Hom that no formal complaints have been submitted to the Department of Public Safety (DPS) for the existing small family child care.

Chair Rheaume asked staff about the current use of the garage and if there is a threshold for an LFCCH footprint. Associate Planner Hom stated that the applicant must comply with licensing requirements and that the garage will not be used for child care purposes. Assistant Director Miner stated that the application does not include the use of the garage for child care purposes.

Commissioner Olevson asked staff if the deficiencies outlined in the facility evaluation report were corrected. Associate Planner Hom advised that the applicant can provide this information. Assistant Director Miner commented on the process for state inspection and licensing.

Chair Rheaume opened the Public Hearing.

Deepa Patel presented information about the proposed project.

Commissioner Olevson confirmed with Ms. Patel that the deficiencies noted in the

facility evaluation report have been corrected and that she has obtained clearance.

Vice Chair Weiss discussed the age range of children that would be cared for in a LFCCH with Ms. Patel.

Vice Chair Weiss confirmed with Ms. Patel that two assistants would be employed part-time if the LFCCH reaches the maximum capacity of 14 children.

Ms. Patel provided details about the parking drop off process to Vice Chair Weiss.

Commissioner Howe confirmed with Ms. Deepa that they have two cars and that children are not allowed in the garage because that area is not included in their license.

Hideki Ido, Sunnyvale resident, discussed his concerns with the amount of indoor and outdoor space, existing traffic and available parking for the proposed project.

Chair Rheame confirmed with Mr. Ido that he shares a common wall with the proposed project.

Yoko Ido discussed her concerns with the amount of available space and the deficiencies.

Leslie Heizler, Sunnyvale resident, discussed his concerns with an existing overhang, the amount of available space and the use of the garage for the proposed project.

Commissioner Harrison discussed the perceived use of the garage with Mr. Heizler.

Dave Willems, a member of the HOA board, discussed his concerns regarding children's safety, noise impacts and the existing parking issues.

Commissioner Howe confirmed with Mr. Willems that the HOA board had not taken formal action regarding their opposition.

Commissioner Howard confirmed with Mr. Willems that the existing parking issues will be addressed by the HOA board.

Darsaan Patel presented additional information about the proposed project.

Commissioner Howard suggested an alternative start time of 7:30 AM to avoid existing traffic.

Vice Chair Weiss discussed the staggered hours for pick up with Mr. Patel.

Commissioner Howard commented on the square footage for the indoor and outdoor areas.

Chair Rheume closed the Public Hearing.

Commissioner Howe asked staff if the application was reviewed by DPS. Associate Planner Hom and Assistant Director Miner answered that the Division of Fire Operations must inspect any child care facility. Commissioner Howe confirmed that the applicant must complete these processes to obtain an LFCCH license.

MOTION: Commissioner Howard moved and Commissioner Harrison seconded the motion for Alternative 1 – Make the required findings in Attachment 3 and Approve the Special Development Permit with the Conditions of Approval in Attachment 4.

Commissioner Howard commented that the existing parking and additional street parking is more adequate than some single-family home child care centers. Commissioner Howard stated that the application meets the state square footage requirements. Commissioner Howard noted that it appears unlikely that the applicant will support 14 children.

FRIENDLY AMENDMENT: Commissioner Harrison offered a friendly amendment that the Good Neighbor Tips for Child Care Providers (Attachment 7) be included in the Conditions of Approval (COA) as recommended by staff. Commissioner Howard accepted the friendly amendment.

MODIFIED MOTION: Commissioner Howard moved and Commissioner Harrison seconded the motion for Alternative 2 – Make the required findings in Attachment 3 and Approve the Special Development Permit with modified conditions –

Include the Good Neighbor Tips for Child Care Providers (Attachment 7) in the COA.

Commissioner Harrison stated that she can make the findings that the proposed

project is consistent with the General Plan and that there is no evidence that it would impair the existing adjacent properties. Commissioner Harrison noted that the state law overrides the CC&R's. Commissioner Harrison stated her hope that the parking and trash concerns can be mitigated so the applicant can exercise her right to operate a LFCCH that is compliant with City code and state law.

**FRIENDLY AMENDMENT:** Commissioner Howe offered a friendly amendment to add a COA which specifies that the garage cannot be used for any child care purposes. Commissioner Howard and Commissioner Harrison accepted the friendly amendment.

Commissioner Olevson noted his understanding of the situation when members of an HOA are not living up to CC&R restrictions but stated that this is private law. Commissioner Olevson noted his appreciation of the applicant's proposal since child care is necessary for working parents in suburban areas. Commissioner Olevson stated that he will be supporting the motion.

Commissioner Simons stated that he can make the finding that the application is consistent with the General Plan but that the second finding is complicated due to the highly impacted nature of the area.

**FRIENDLY AMENDMENT:** Commissioner Simons offered a friendly amendment that the backyard overhang be reviewed by staff and a permit obtained if required and allowed. Commissioner Howard and Commissioner Harrison accepted the friendly amendment.

**FRIENDLY AMENDMENT:** Commissioner Simons offered a friendly amendment that the garage must be capable of parking two cars before permitting. Commissioner Howard and Commissioner Harrison accepted the friendly amendment.

Commissioner Howard confirmed with Assistant Director Miner that staff can complete a site visit.

Commissioner Simons stated that he will be supporting the motion.

Vice Chair Weiss noted her discomfort with the application and stated an opinion that it is an inappropriate location for a LFCCH. Vice Chair Weiss commented on the lack of space, resources and inability to separate the children by age groups. Vice Chair Weiss stated that there is a shortage of quality licensed LFCCH's but that

corners should not be cut. Vice Chair Weiss stated that she will not be supporting the motion.

Chair Rheume stated that he will be supporting the motion since state law overrides the CC&R's. Chair Rheume noted his appreciation of the concerns presented, especially from the adjacent owners. Chair Rheume stated that he can make the findings for the Special Development Permit.

The motion carried by the following vote:

**Yes:** 6 - Chair Rheume  
Commissioner Harrison  
Commissioner Howard  
Commissioner Howe  
Commissioner Olevson  
Commissioner Simons

**No:** 1 - Vice Chair Weiss

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. [18-0351](#) **Proposed Project:**  
**SPECIAL DEVELOPMENT PERMIT:** to redevelop the Blue Bonnet Mobile Home Park to a 62-unit townhouse development with associated site improvements (net increase of eight units);  
**VESTING TENTATIVE MAP:** to subdivide one lot into 62 lots and three common lots.  
**Location:** 617 E Evelyn Avenue (APN: 209-02-001)  
**File #:** 2017-7217  
**Zoning:** R-3/PD - Medium Density Residential / Planned Development  
**Applicant / Owner:** East Dunne Investors, LLC (applicant)/Chien-Nan and Sue Chuang Trustee (owner)  
**Environmental Review:** Mitigated Negative Declaration  
**Project Planner:** Momoko Ishijima, (408) 730-7532, [mishijima@sunnyvale.ca.gov](mailto:mishijima@sunnyvale.ca.gov)

Associate Planner Momoko Ishijima presented the staff report.

Commissioner Olevson asked staff if consideration was given to eliminating one unit to obviate the requested deviations. Associate Planner Ishijima advised that this was discussed but that the applicant maintained the proposed project. Assistant



Director Miner stated that staff did not pursue this change based on the study session feedback.

Commissioner Harrison asked staff for information about the contention of the Conversion Impact Report (CIR). Senior Assistant City Attorney Rebecca Moon stated that there is current litigation but that the City does not agree with the opposing legal arguments.

Vice Chair Weiss asked staff about finding affordable housing for the remaining eight families onsite. Housing Officer Suzanne Ise provided background about the CIR implementation and advised that the relocation specialist determines housing options based on the information provided by the families. Housing Officer Ise noted that most of the remaining families have declined assistance and provided information about the relocation outcomes. Vice Chair Weiss clarified with Housing Officer Ise that these families would receive priority for Below Market Rate (BMR) units in the proposed project but that they would not receive priority for non-subject BMR properties.

Commissioner Howard confirmed with Housing Officer Ise that one or two of the vacated residents expressed interest in the proposed project BMR units. Housing Officer Ise commented that with relocation assistance usually only a small percentage of residents prioritize BMR units in a proposed project.

Commissioner Howard asked staff about the possibility of project phasing so that residents could continue to reside onsite. Housing Officer Ise stated that the CIR ordinance requires closure of the mobile home park and relocation of all residents.

Commissioner Howard asked staff if the Planning Commission can modify the number of BMR units. Assistant Director Miner advised that the Planning Commission cannot ask for more BMR units than is required by code. Senior Assistant City Attorney Moon commented on the importance of adhering to objective written standards for residential projects.

Chair Rheume opened the Public Hearing.

Josh Vrotsos, representing East Dunne Investors, LLC, presented information about the proposed project.

Vice Chair Weiss asked about the potential for traffic calming measures in the long

drive aisle. Assistant Director Miner stated that staff will coordinate with the Transportation and Traffic Division and confirmed that the Planning Commission can include this as a COA.

Vice Chair Weiss confirmed with Mr. Vrotsos that residents can have BBQ's on their decks.

Vice Chair Weiss confirmed with Mr. Vrotsos that the garages will be prewired for EV.

Vice Chair Weiss commented on the removal of eight street trees and asked the applicant about the possibility of meandering sidewalks. Mr. Vrotsos advised that it would be very difficult due to the tree roots in that area but that they will retain as many trees as possible.

Vice Chair Weiss asked staff if the outdoor lighting will be on the International Dark-Sky Association (IDA) approved products list. Assistant Director Miner stated that the Building code lighting requirements will be met.

Commissioner Simons asked the applicant about the addition of geometric stamping. Mr. Vrotsos stated that they would be amenable to this addition. Commissioner Simons asked about treatments to slow traffic and Mr. Vrotsos advised that he will coordinate with the architectural team.

Commissioner Simons confirmed with Mr. Vrotsos that a future discussion can take place with the project's arborist to discuss the use of native tree species.

Commissioner Harrison asked the applicant to identify the change in architectural details that led to the need for building height deviations. Don Ricci, representing the Dahlin Group, provided information about these deviations.

Chair Rheame asked staff if the City arborist examined the street trees on the south side of the project. Associate Planner Ishijima advised that the required street improvement program for this frontage doesn't allow for the retention of those trees and that the City arborist was included in those discussions. Chair Rheame asked staff to try and retain more trees. Assistant Director Miner commented on the existing limitations but stated that the final plan can be examined to try and retain additional trees. Chair Rheame confirmed with Mr. Vrotsos that they are amenable to an additional review of the site plan.

Mary Lou Clark, President of Blue Bonnet residents' committee, discussed her concerns in working with the relocation specialist, the retaliation they experienced and the lack of affordable homes.

Vice Chair Weiss asked Ms. Clark about the nature of the retaliation. Ms. Clark advised that the relocation money would be held in escrow if they did not sign a release form.

Josh Grossman discussed his concerns regarding the reduction in low income housing, eviction of residents and pending litigation.

Commissioner Howard asked Mr. Grossman how he would suggest to proceed. Mr. Grossman suggested postponement to learn the outcome of the litigation.

David Wessel spoke in opposition of the proposed project due to the loss of BMR units and lack of public benefit in comparison to the requested deviations.

David Lis, Sunnyvale resident, discussed his concerns with the lack of BMR units, lack of affordable housing and relocation of residents.

Margaret Nanda, representing East Dunne LLC, presented additional information about the proposed project.

Commissioner Harrison asked Ms. Nanda about the timing of the relocation assistance. Ms. Nanda stated that the notices of termination of tenancy were provided six months in advance and advised that relocation assistance was paid in November 2017.

Chair Rheume closed the Public Hearing.

Commissioner Howe asked staff about the action taken by the Housing and Human Services Commission. Housing Officer Ise stated that based on state law the Housing and Human Services Commission can recommend to approve the closure or approve the closure with modifications. Housing Officer Ise stated that the Housing and Human Services Commission recommended to the City Council to approve the closure with modifications.

Commissioner Harrison commented that at a higher rate of BMR units, the applicant

would receive the deviation requests as concessions. Housing Officer Ise advised that the use of the density bonus law is voluntary and Assistant Director Miner stated that the applicant did not apply for the density bonus.

MOTION: Commissioner Simons moved and Chair Rheume 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 –

- a. Staff will review the current perimeter trees with the applicant to save any additional trees, prior to the issuance of a Building permit;
- b. Geometric stamping patterns for the pedestrian and vehicle through ways will be implemented, ideally with different treatments for differentiation; and,
- c. Add a COA to specify the use of native tree species, specifically those which will maximize the canopy height.

Commissioner Simons commented on the issues with the remaining residents but noted that it is not a question of land use. Commissioner Simons stated an opinion that the proposed project is an appropriate use next to Downtown and could be a higher density based on the zoning. Commissioner Simons noted that the architecture will be compatible with the City and thanked the applicant for incorporating study session comments. Commissioner Simons stated that this will be a good project for the City that provides units in an appropriate location.

Chair Rheume stated that he can make the findings and that the proposed project meets the General Plan goals and policies. Chair Rheume noted the project's proximity to Downtown and transit and stated that the project will encourage home ownership and investment in the City.

Commissioner Olevson stated that he will be supporting the motion and noted his appreciation of the information provided by the public. Commissioner Olevson stated an understanding of the difficulties accompanying the change of use but noted that there is adequate control over the timing and relocation process. Commissioner Olevson stated that the proposed project is consistent with the General Plan and neighborhood and that the Tentative Map should be approved.

Commissioner Howe stated that he can make the findings for CEQA but not for the General Plan. Commissioner Howe commented that the proposed project requests

too many deviations, the buildings are too close together and the architectural quality along Evelyn Avenue is poor.

Commissioner Howard stated that the closure of the Mobile Home Park and pending litigation is not under the jurisdiction of the Planning Commission. Commissioner Howard stated that he will not be supporting the motion. Commissioner Howard noted that if the applicant had applied for the density bonus they would receive the deviations without the Planning Commission granting special concessions.

Commissioner Harrison stated that she will be supporting the motion, can make the findings regarding CEQA and can find nothing to deny the Tentative Map. Commissioner Harrison stated that the Planning Commission has previously approved deviations for separation between buildings and noted that the grade will be raised.

Vice Chair Weiss stated that she cannot make the findings. Vice Chair Weiss noted that the project requests three deviations and that a deviation between four to eight feet on the north side is a considerable distance. Vice Chair Weiss stated that without these deviations the project would be more attractive, especially on the Evelyn Avenue side. Vice Chair Weiss stated that she will not be supporting the motion.

The motion carried by the following vote:

**Yes: 4 -** Chair Rheaume  
Commissioner Harrison  
Commissioner Olevson  
Commissioner Simons

**No: 3 -** Vice Chair Weiss  
Commissioner Howard  
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. [18-0316](#) **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 214 Commercial Street

**File #:** 2017-7973

**Zoning:** MS

**Applicant:** Verizon Wireless C/O The CBR Group

**Appellant:** Amanda Guillard, property and business owner of Seville Landscape Construction at 214 Commercial Street

**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 Jeyaparakash, (408) 730-7449, [mjeyaparakash@sunnyvale.ca.gov](mailto:mjeyaparakash@sunnyvale.ca.gov)

Associate Planner Mary Jeyaparakash presented the staff report.

Commissioner Howe confirmed with Associate Planner Jeyaparakash which Condition of Approval (COA) was added by staff.

Chair Rheume opened the Public Hearing.

Amanda Guillard and Moses Guillard presented images and information about the proposed project.

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

Commissioner Olevson asked the applicant about alternative pole locations. Mr. Peters provided information about pole requirements for lineman climbing space.

Commissioner Olevson confirmed with Mr. Peters that City poles cannot be utilized because there is currently no master agreement.

Vice Chair Weiss disclosed that she met with the applicant and appellant.

Vice Chair Weiss asked the applicant about the outcome if a semi-truck hit the pole. Mr. Peters stated that the addition of their equipment does not increase the likelihood of the pole being struck.

Vice Chair Weiss asked the applicant about replacement of the pole due to age. Mr. Peters provided information about that process and noted that PG&E makes the

final determination.

Vice Chair Weiss confirmed with Mr. Peters that four bollards could be used instead of two.

Chair Rheume asked the applicant about consideration of other poles in the area as requested by the appellant. Mr. Peters provided information about the limitations and difficulties of finding suitable poles in commercial areas.

Commissioner Simons discussed bollard types with Mr. Peters.

Joe Carroll discussed his concerns with the impact of the existing pole and future safety issues.

Jacob Guillard spoke in opposition to the proposed project and stated an opinion that other poles in the area could be utilized.

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

Mr. Peters provided additional images and information about the proposed project.

Chair Rheume asked the applicant about equipment undergrounding in Palo Alto. Mr. Albritton advised that Verizon Wireless does not have an available system to underground equipment and noted that undergrounding is not an aesthetically superior solution.

Assistant Director Miner discussed the potential to place the equipment in a ground cabinet with Mr. Peters.

Amanda Guillard and Moses Guillard presented additional information about the proposed project.

Vice Chair Weiss confirmed with Ms. Guillard that they do not feel a ground cabinet is a better solution.

Commissioner Howard discussed the safety design of the pole and bollard placement with Ms. Guillard. Commissioner Howard suggested the use of landscaping to minimize the visual impact of the pole.

Chair Rheume closed the Public Hearing.

Commissioner Harrison asked Assistant Director Miner about the history of the pole's location. Assistant Director Miner provided information about the pole's location, the City's telecommunications policy and the adjacent property use. Assistant Director Miner noted that bollards would help mitigate safety concerns.

Chair Rheume asked staff about the potential to underground equipment. Assistant Director Miner clarified the information provided by the applicant regarding undergrounding.

MOTION: Commissioner Harrison 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 Department of Public Works to confirm the number and placement of the semi-truck bollards.

Commissioner Harrison thanked the appellant for the information they provided about truck proximity to the pole. Commissioner Harrison noted her agreement with Assistant Director Miner that the visual impact of Verizon Wireless's equipment would be minimal. Commissioner Harrison noted her agreement with the appellant about the detrimental effects of a potential truck collision with the pole. Commissioner Harrison stated that Verizon Wireless has the right to determine the location of their equipment but that the semi-truck bollards should mitigate the safety concerns.

Commissioner Simons noted his appreciation of the addition of the semi-truck bollards in the perfect spot. Commissioner Simons commented on the appropriate aesthetic impact of antennas and noted that the City has inconsistent zoning due to the conversions from industrial to residential. Commissioner Simons stated that he will be supporting the motion.

Commissioner Olevson stated that he will be supporting the motion. Commissioner Olevson noted that he does not like the pole but that adding to the top does not change the pole. Commissioner Olevson stated that the bollards will improve the existing condition. Commissioner Olevson stated that state and federal regulations



dictate the requirements and that tests will be conducted after installation to ensure those requirements are met.

Commissioner Howard stated that he will be supporting the motion. Commissioner Howard stated that federal regulations dictate the requirements. Commissioner Howard noted that safety will be improved with the bollards and that landscaping could help mitigate the aesthetic impacts of the pole.

Vice Chair Weiss stated that the identified pole is the only possibility in the area and that there is a demonstrated need by Verizon Wireless. Vice Chair Weiss stated that a new pole and bollards will improve the safety. Vice Chair Weiss commented that she asked an independent third party to review the emissions for accuracy and that she will be supporting the motion.

Chair Rheaume stated that he will be supporting the motion. Chair Rheaume commented that these guidelines are set by federal and state regulations and that the City cannot dictate the pole's location.

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.

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

**NON-AGENDA ITEMS AND COMMENTS**

**-Commissioner Comments**

Vice Chair Weiss confirmed with Assistant Director Miner that size of the tables and data can be increased on future site plans.

**-Staff Comments**

Assistant Director Miner commented that staff will present the El Camino Real Corridor Specific Plan development standards and design guidelines at the April 24, 2018 City Council study session.

**ADJOURNMENT**

Chair Rheaume adjourned the meeting at 11:24 PM.