



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, July 9, 2018

6:00 PM

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

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

6 P.M. SPECIAL PLANNING COMMISSION MEETING (Closed Session)

Call to Order in the West Conference Room

Roll Call

Public Comment

The public may provide comments regarding the Closed Session item just prior to the Commission beginning the Closed Session. Closed Sessions are not open to the public.

Convene to Closed Session

[18-0499](#)

CLOSED SESSION PURSUANT TO GOV. CODE SECTION 54957(a):
Meeting with officers of the Department of Public Safety to discuss
matters related to threats to the security of public buildings and facilities.

Adjourn Closed Session

6:30 P.M. STUDY SESSION

Call to Order in the West Conference Room

Roll Call

Study Session

A. [18-0621](#)

Proposed Project:

PEERY PARK PLAN REVIEW PERMIT: to redevelop existing
industrial site with 18 duets and 47 townhomes for a total of 65
residential units.

Location: 370 San Aleso Avenue (APN: 204-01-005)

File #: 2018-7315

Zoning: PPSP/NT

Applicant / Owner: Toll Brothers Inc./ Eos At San Aleso 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 7:05 PM in the Council Chambers.

SALUTE TO THE FLAG

Chair Rheume led the salute to the flag.

ROLL CALL

Present: 5 - Commissioner Daniel Howard
Commissioner John Howe
Commissioner Ken Olevson
Commissioner David Simons
Chair Ken Rheume

Absent: 2 - Vice Chair Carol Weiss
Commissioner Sue Harrison

Status of absence; Vice Chair Weiss's absence is excused.

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

ORAL COMMUNICATIONS

CONSENT CALENDAR

Commissioner Howard moved and Commissioner Olevson seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

Yes: 4 - Commissioner Howard
Commissioner Olevson
Commissioner Simons
Chair Rheaume

No: 0

Absent: 2 - Vice Chair Weiss
Commissioner Harrison

Abstained: 1 - Commissioner Howe

1. A [18-0622](#) Approve Planning Commission Meeting Minutes of June 25, 2018

PUBLIC HEARINGS/GENERAL BUSINESS

2. [18-0559](#) **Proposed Project:** Related applications on a .34-acre site:
SPECIAL DEVELOPMENT PERMIT and **VESTING**
TENTATIVE MAP to allow a three-story six-unit townhouse development.
Location: 669 & 673 Old San Francisco Rd. (APNs 209-17-050 & 209-17-051)
File #: 2018-7048
Zoning: R-3/PD
Applicant / Owner: Innovative Concepts / George Nejat
Environmental Review: Mitigated Negative Declaration
Project Planner: Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

Assistant Director Andrew Miner advised that the applicant has requested a continuance to the Planning Commission meeting on August 13, 2018 to make site plan corrections and respond to public comments.

Chair Rheaume opened the Public Hearing.

Maria Hamilton, Sunnyvale resident, stated her opposition to the proposed project and discussed her concerns with the proposed project's impact on quality of life, neighborhood compatibility and parking.

Cecelia Morrison discussed her concerns with the height, density, parking, drainage and visibility impacts of the proposed project.

Chair Rheaume closed the Public Hearing.

MOTION: Commissioner Howe moved and Commissioner Howard seconded the motion to continue this item to the Planning Commission meeting on August 13, 2018.

The motion carried by the following vote:

Yes: 5 - Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons
Chair Rheaume

No: 0

Absent: 2 - Vice Chair Weiss
Commissioner Harrison

3. [18-0532](#)

Proposed Project:

DESIGN REVIEW: To allow a one-story addition of 308-s.f. and a two-story addition of 898-s.f. to an existing one-story single-family home, resulting in 3,435 square feet (2,592 square feet of living space and an 843-square foot 3-car garage) and 49% floor area ratio (FAR).

Location: 348 Morse Avenue (APN: 204-40-028)

File #: 2018-7431

Zoning: R-2

Applicant / Owner: KDG (applicant) / Ravi K Purushotma and Olwen T Reina (owner)

Environmental Review: A 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: Kelly Cha, (408) 730-7408, kcha@sunnyvale.ca.gov

Associate Planner Kelly Cha presented the staff report.

Chair Rheaume opened the Public Hearing.

Kaneshka Salehi, representing Kaneshka Design Group, presented information about the proposed project.

Commissioner Simons confirmed with Mr. Salehi that they are amenable to extending the roof ridge.

Commissioner Olevson clarified with Mr. Salehi that the first-floor bedroom has a closet.

Mr. Salehi presented additional information about the proposed project.

Chair Rheume closed the Public Hearing.

Chair Rheume discussed the turnaround space for the garage with Associate Planner Cha.

Commissioner Simons confirmed with Associate Planner Cha that staff is agreeable to modifying the Conditions of Approval (COA) to extend the roof ridge.

MOTION: Commissioner Howe moved and Commissioner Simons seconded the motion for Alternative 2 – Approve the Design Review with modified conditions – extend the single-story roof ridge to the second story wall.

Commissioner Howe stated an opinion that the proposed project will fit reasonably well with the neighborhood and should be approved.

Commissioner Olevson stated that he will be supporting the motion. Commissioner Olevson noted his agreement with Commissioner Simons regarding the roof modification, to avoid potential structural issues and maintain continuous roof ridgelines in the neighborhood. Commissioner Olevson stated an opinion that this will be an attractive home and noted his appreciation for the front curtains.

The motion carried by the following vote:

Yes: 5 - Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons
Chair Rheume

No: 0

Absent: 2 - Vice Chair Weiss
Commissioner Harrison

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. [18-0612](#) **Proposed Project:** Related applications on a 6,186-square foot residential lot:
- DESIGN REVIEW:** To allow demolition of an existing one-story single family residence and construction of a new two-story single-family home resulting in 3,223 square feet (2,790 square feet living area and 433 square feet garage) and 52% Floor Area Ratio (FAR).
- Location:** 1159 Norththumberland Drive (198-38-040)
- File #:** 2018-7065
- Zoning:** R-0
- Applicant / Owner:** Nilsene Builder Inc (applicant) / Jamie Young (property owner)
- Environmental Review:** Categorically exempt from CEQA pursuant to Section Class 3, Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA).
- Project Planner:** Cindy Hom, (408) 730-7411, chom@sunnyvale.ca.gov

Associate Planner Cindy Hom presented the staff report.

Chair Rheume asked staff about mitigating privacy concerns related to the proposed back bedroom window. Associate Planner Hom provided information about the distance to the property line, the distance to the adjacent home and the rear setback. Assistant Director Miner stated that there are no specific design criteria for windows in relation to adjacent properties and that the proposed project exceeds the second story setback requirement.

Chair Rheume opened the Public Hearing.

Chunyang Xia, the applicant's husband, presented information about the proposed project.

Azadeh Masrour, representing AMS Design LLP, presented information about the proposed project.

Commissioner Simons confirmed with Mr. Xia that they would consider using a faster growing tree for screening.

Commissioner Simons confirmed with Ms. Masrour that the front door will be customized.

Chair Rheume confirmed with Ms. Masrour that the windows will be built with external dark brown grids as shown in the site plan.

Robert Pushor, Sunnyvale resident, discussed his concerns with the size of the back bedroom window and the privacy impacts on his backyard.

Commissioner Howe discussed the implementation of trees for screening with Mr. Pushor. Mr. Pushor asked for the window to be moved to the side elevation. Commissioner Howard confirmed with Mr. Pushor that a high sill window would be an improvement.

John Daly, Sunnyvale resident, discussed his concerns with the location of the back bedroom window and privacy impacts.

Ms. Masrour and Mr. Xia presented additional information about the proposed project.

Commissioner Simons confirmed with Ms. Masrour and Mr. Xia that slightly obscured glass could be used to protect the neighbor's privacy and retain light for the back bedroom.

Chair Rheume discussed the possibility of a side window facing Bernardo Avenue with Ms. Masrour. Chair Rheume confirmed with Mr. Xia that they would be amenable to a high sill window.

Chair Rheume closed the Public Hearing.

Commissioner Howe asked staff if the fire code requirements for egress can be met without the back window. Assistant Director Miner stated that the Building code outlines the requirements for egress windows. Assistant Director Miner and Associate Planner Hom provided wall and window dimensions.

Commissioner Simons asked staff if obscured glass could address the privacy concerns. Assistant Director Miner stated that the Planning Commission can direct staff to work with the applicant and Building staff to use obscured glass while maintaining egress requirements.

Commissioner Howard asked staff about privacy standards for backyards. Assistant

Director Miner stated that there is nothing to regulate window proximity to an adjacent home and commented that the goal is to not create an undue hardship for an adjoining property. Commissioner Howard confirmed with Assistant Director Miner that if the proposed project did not exceed the 45% Floor Area Ratio (FAR) limitation then this window would have been reviewed at staff level.

Commissioner Olevson asked staff about the use of vegetation as screening to mitigate privacy concerns. Assistant Director Miner stated that landscaping can be used as a tool to alleviate privacy concerns and noted that landscaping additions were made to past projects for this reason.

MOTION: Commissioner Howe moved and Commissioner Howard seconded the motion for Alternative 2 – Approve the Design Review with modified conditions – staff will consult with the City arborist and the homeowner to determine appropriate landscaping, with City staff to have the final authority.

Commissioner Howe commented that proposed project meets the setback requirements and that it is only before the Planning Commission because it exceeds the FAR. Commissioner Howe stated that staff can determine the appropriate number and type of trees prior to issuance of the building permit and that City staff will have the final authority.

Commissioner Howard complimented Commissioner Howe's comments. Commissioner Howard stated that the proposed project has generous setbacks which meet the requirements. Commissioner Howard noted that the window would have been reviewed at staff level if it did not exceed the FAR and stated an opinion that the staff recommendation will provide a balance for the neighbors.

Commissioner Olevson stated that he will be supporting the motion. Commissioner Olevson stated that the proposed project meets the City's zoning and setback requirements and will use vegetation to mitigate privacy concerns.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to specify that the divided windows will have external grids as depicted in the site plan. Commissioner Howe and Commissioner Howard accepted the friendly amendment.

Commissioner Simons stated that he will be supporting the motion. Commissioner Simons commented that staff will work with the applicant to ensure that the landscaping mitigates the privacy issues.

Chair Rheume stated that he will be supporting the motion and noted the sufficient setbacks for the proposed project. Chair Rheume commented that the applicant has followed City policy. Chair Rheume thanked the applicant for investing in the City and stated that the project has a quality design. Chair Rheume noted his agreement with the use of vegetation to mitigate privacy issues.

The motion carried by the following vote:

Yes: 5 - Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons
Chair Rheume

No: 0

Absent: 2 - Vice Chair Weiss
Commissioner Harrison

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.

5. [18-0557](#) **Proposed Project:** General Plan Amendment Initiation to consider amending the Lawrence Station Area Plan (LSAP) to expand the boundary of the plan area to include 932 and 950 Kifer Road (APNs 205-49-005 and 205-49-012).
File #: 2018-7447
Locations: 932 Kifer Road (APN 205-49-005); 950 Kifer Road (APN 205-49-012); 945 Kifer Road (APN 205-40-002); and 955 Kifer Road (APN 205-40-001).
Applicant/Owner: Intuitive Surgical, Inc.
Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (a).
Project Planner: George Schroeder, (408) 730-7443, gschroeder@sunnyvale.ca.gov

Senior Planner George Schroeder presented the staff report.

Commissioner Simons confirmed with Assistant Director Andrew Miner that the proposed project, if approved, would be integrated in the Lawrence Station Area Plan (LSAP). Assistant Director Miner provided information about the parcels owned

by Intuitive Surgical and the potential LSAP expansion. Commissioner Simons confirmed with Assistant Director Miner that the Planning Commission can add the same recommendation as for the LSAP Preferred Housing Study to integrate the proposed project with the City's Bicycle and Pedestrian Master Plan.

Chair Rheume confirmed with Senior Planner Schroeder that the park owned by Intuitive Surgical is currently zoned Industrial and Service (MS). Assistant Director Miner provided a history of the park. Chair Rheume asked staff about preservation of the park. Assistant Director Miner stated that property specific policies can be built into the LSAP that incorporate the applicant's and the City's goals.

Commissioner Howard confirmed with Assistant Director Miner that Intuitive Surgical is headquartered in the City and is leasing space elsewhere.

Chair Rheume opened the Public Hearing.

Eric Morley, representing The Morley Brothers and Intuitive Surgical, presented images and information about the proposed project.

Mr. Morley presented additional information about the proposed project.

Commissioner Simons asked staff about preservation of the tree canopy in the park owned by Intuitive Surgical. Assistant Director Miner advised that the Planning Commission can provide direction to staff on options to consider in the amendment.

Chair Rheume closed the Public Hearing.

MOTION: Commissioner Howe moved and Commissioner Simons seconded the motion for Alternative 1 – Recommend to the City Council to initiate the General Plan Amendment to add the properties at 932, 950, 945-955 Kifer Road in the Lawrence Station Area plan boundaries and direct staff to include these amendments in the LSAP residential study currently underway.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment that the proposed project be integrated into the City's Bicycle and Pedestrian Master Plan. Commissioner Howe accepted.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to request that the LSAP study analyze methods to maximize the existing tree canopy

within the 945-955 Kifer Road site.

Commissioner Howe asked to preserve all trees in the LSAP, as feasible, and analyze the use of the open space. Commissioner Simons requested an emphasis on the tree canopy. Chair Rheume clarified with Assistant Director Miner that the park is not currently available for public use but that open space should be maintained when the property redevelops.

MODIFIED FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to request that the LSAP study analyze methods to maximize the existing tree canopy, preserve the existing trees and maintain the open space within the 945-955 Kifer Road site. Commissioner Howe accepted the friendly amendment.

Commissioner Howe commented that it makes sense to integrate the residential and this non-residential area within the LSAP. Commissioner Howe commented on the subject site's proximity to the Caltrain station and complimented Senior Planner Schroeder for his presentation.

Commissioner Simons noted that certain sub-elements of area plans tend to get neglected over the long term and that his modifications were to ensure connectivity and pedestrian throughput for the LSAP. Commissioner Simons commented on the need for long term variation in the City's development in regards to trees, landscaping, variation in heights and open space surrounding buildings.

Commissioner Howard stated that he will be supporting the motion and that this is an intuitive amendment.

Commissioner Olevson stated that he will be supporting the motion and that the City will benefit from supporting a premier company headquartered in the City. Commissioner Olevson noted that Intuitive Surgical has a manufacturing operation and is looking to expand in the City. Commissioner Olevson commented that this study will provide the data required to make a final decision.

Chair Rheume stated that he will be supporting the motion. Chair Rheume thanked the applicant for providing a history of Intuitive Surgical. Chair Rheume stated that the City should support a growing company headquartered in the City. Chair Rheume noted his agreement with the need for variations in tree height and the important of retaining open space, especially as an anchor for the LSAP.

The motion carried by the following vote:

Yes: 5 - Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons
Chair Rheaume

No: 0

Absent: 2 - Vice Chair Weiss
Commissioner Harrison

Assistant Director Miner stated that this item goes to the City Council on August 14th, 2018.

6. [18-0618](#) Selection of Chair

Commissioner Howard was selected as the new Chair for the Planning Commission.

7. [18-0619](#) Selection of Vice Chair

Commissioner Simons was selected as the new Vice Chair for the Planning Commission.

8. [18-0620](#) Selection of Seats

Seats were selected by the Planning Commissioners in order of seniority.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Commissioner Simons asked staff about a study issue to analyze cost effective upgrades related to Americans with Disabilities Act (ADA) requirements to help the City build housing for the long term. Assistant Director Miner stated that staff will complete a write up for review and noted that this study issue would be not ranked by the Planning Commission.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

Assistant Director Miner provided information about the approval of the LSAP Preferred Housing Study by the City Council on June 26, 2018.

ADJOURNMENT

Chair Rheaume adjourned the meeting at 8:44 PM.