

EXCERPT OF MINUTES

Authority (VTA) Policy Advisory Board and Cities Association
of Santa Clara County (CASCC) Executive Board

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [18-0751](#) Proposed Project: Appeal by the Applicant of a decision by the Planning Commission to deny:
PEERY PARK SPECIFIC PLAN CONDITIONAL USE PERMIT:
to consider a high school for 400 students (Summit School).
The project includes interior and exterior improvements of an existing industrial building for an educational use, the installation of a tri-level mechanical lift parking structure in the rear serving 22 parking spaces, and a request for adjustment to the minimum parking requirements.
Location: 824 San Aleso Avenue (APN: 204-02-006)
File #: 2017-7986
Zoning: PPSP-NT - Peery Park Specific Plan - Neighborhood Transition
Applicant / Owner: Artik Art & Architecture (applicant) / 824 San Aleso, LLC (owner)
Environmental Review: The project is exempt from additional CEQA review per CEQA Guidelines section 15168(c)(2) and (4) and 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 mitigation measures are required.
Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Vice Mayor Melton reported he met with Summit School representative Kate Godfordson at City Hall.

Assistant Director of Community Development Andrew Miner provided the staff report and slide presentation.

Executive Director of Summit School Denali Kevin Bock provided the applicant's proposal and slide presentation. Attorney Bryan Wenter from Miller, Starr, Regalia provided testimony regarding the applicant's appeal.

Public Hearing opened at 8:32 p.m.

Zachary Kaufman spoke about the appeal time of two Sunnyvale projects.

The following people spoke in support of the Summit Denali project:

Steven Johnson

Sue Johnson

William Torberg and played a video

Jake Walczak

Natalie and Jacob Gaylord

Tasmin Hickler

Kassidy Toralba

Michelle Cudzinovic

Heather Chen

Uuve Taylor

James Begole

James Chen

Rocio Barrera

Lori Cunningham

Katy Berg

Steve Scandalis suggested partnering with Kings Academy for educational space, urged the Council to look at the deficiency of parking spaces and suggested reducing the student count or looking at alternatives for parking like offsite parking and the use of shuttles.

The following people spoke in favor of the staff recommendation:

Ann Davis

Tewfik Mourad

Sharon McKnight

Valerie Soares

Dwight Davis

Appellant Attorney Bryan Wenter provided closing arguments.

Public Hearing closed at 10:11 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Goldman seconded to continue this item and have staff and the applicant work together to create a solution that will impose penalties for inappropriate parking and to define the appropriate thresholds.

AMENDED MOTION: Councilmember Hendricks amended the motion to continue this item to a date certain of April 23, 2019, and include direction to staff to use the correct mechanisms to limit the discussion to just new information being brought forward.

RESTATED MOTION: Councilmember Hendricks moved and Councilmember Goldman seconded to continue this item and have staff and the applicant work together to create a solution that will impose penalties for inappropriate parking and to define the appropriate thresholds.

FRIENDLY AMENDMENT: Mayor Klein offered a friendly amendment to include looking at renewal at a staff level after three years. Councilmembers Hendricks and Goldman accepted the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Fong offered a friendly amendment to extend the renewal to five years. Councilmembers Hendricks and Goldman accepted the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Fong offered a friendly amendment to include a parking requirement by securing another offsite parking facility and coordinating a shuttle service as needed. Councilmembers Hendricks did not accept the friendly amendment.

SUBSTITUTE MOTION: Vice Mayor Melton moved and Councilmember Fong seconded approval of the use permit with two conditions: 1) use permit valid for five years with review for Director of Community Development to determine if they've satisfied the parking requirements and that the Director has the authority to extend the life of the use permit at that point; and 2) applicant will come up with a certain amount of parking offsite within one mile of the project site with enough parking spaces to remove the mechanical parking structure.

FRIENDLY AMENDMENT: Councilmember Fong offered a friendly amendment to include Attachment 4 and put a condition of approval for the 18 parking spaces to be available to the public on non-essential hour usage and the liability to remain the responsibility of the property owner. Vice Mayor Melton accepted the friendly amendment.

The amended substitute motion failed by the following vote:

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- Yes:** 2 - Vice Mayor Melton
Councilmember Fong
- No:** 5 - Mayor Klein
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman

RESTATED MAIN MOTION: Councilmember Hendricks moved and Councilmember Goldman seconded to continue to April 23; include a provision that the use permit would expire after five years unless renewed by staff; and direct staff to come back to the Council with additional conditions of approval for Council consideration and a future vote.

The main motion carried by the following vote:

- Yes:** 6 - Mayor Klein
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong
- No:** 1 - Vice Mayor Melton

The Council recessed at 10:55 p.m. and reconvened at 11:05 p.m. with all Councilmembers present.

- 3** [18-1126](#) Proposed Project: Amend Sunnyvale Municipal Code Chapter 19.44 to add sign code provisions for theaters on the second floor.
Location: Citywide
File #: 2018-7131
Applicant / Owner: STC Venture LLC
Environmental Review: The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a).