



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, August 26, 2019

6:00 PM

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

Special Meeting - Study Session - 6:00 PM | Special Meeting - Public Hearing - 7:30 PM

6:00 PM STUDY SESSION

1 Call to Order in the West Conference Room

2 Roll Call

3 Study Session

A. [19-0890](#) **Proposed Project:** Update on Downtown Parking Study and Draft
Downtown Specific Plan
Location: Downtown Sunnyvale
File #: 2017-7303 & 2017-8047
Zoning: DSP (Downtown Specific Plan)
Applicant: City of Sunnyvale
Environmental Review: Environmental Impact Report for the
Downtown Specific Plan
Project Planner: Michelle King, 408-730-7463,
mking@sunnyvale.ca.gov

B. [19-0853](#) **Proposed Project:**
Review of site and architectural modifications to the previously approved
SPECIAL DEVELOPMENT PERMIT (File# 2017-7451) as noted in the
Conditions of Approval, related to home orientation, rear yard setbacks,
architectural details and sound wall design for the 58-single-family home
project at the Corn Palace.
Location: 1142 Dahlia Ct. (APN: 213-12-001)
File #: 2017-7451
Zoning: R-1.5/PD
Applicant / Owner: Trumark Homes/TH-HW Dahlia LLC
Environmental Review: The proposed modifications are within the
scope of the EIR for the project that was certified on March 11, 2019,
and no subsequent environmental review is required under CEQA

Guidelines Section 15162.

Project Planner: Shétal Divatia, 408-730-7637,
sdivatia@sunnyvale.ca.gov

4 Public Comment on Study Session Agenda Items

5 Adjourn Study Session

7:30 PM PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Howard called the meeting to order at 7:36 PM in the Council Chambers.

SALUTE TO THE FLAG

Chair Howard led the salute to the flag.

ROLL CALL

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

ORAL COMMUNICATIONS

CONSENT CALENDAR

Commissioner Howe moved and Commissioner Harrison seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

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

No: 0

1.A [19-0846](#)**REQUEST FOR CONTINUANCE TO SEPTEMBER 9, 2019****Proposed Project:**

DESIGN REVIEW: To demolish an existing home and construct a new one-story single-family home, resulting in 3,839 square feet (3,400 square feet living area and 439 square feet garage) and 44.4% floor area ratio (FAR).

Location: 1015 Havre Ct. (APN: 320-12-016)

File #: 2019-7238

Zoning: R-1 (Low Density Residential)

Applicant / Owner: TDH Design, Tri Hong (applicant) / Long Kai and Yunling Cai (owner)

Environmental Review: A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act (CEQA) provisions.

Project Planner: Teresa Zarrin, 408-730-7429,
tzarrin@sunnyvale.ca.gov

1.B [19-0854](#)**REQUEST FOR CONTINUANCE TO SEPTEMBER 9, 2019****Proposed Project:**

DESIGN REVIEW: Construct a first story addition of 688 square feet of living area and 557 square feet of covered patio in the rear of an existing one-story, single family residence resulting in 3,674 square feet (2,297 square feet living area, 418 square feet ADU (E), 557 square feet covered patio in the rear, and 402 square feet garage) and 44.4% floor area ratio (FAR).

Location: 1713 Heron Ave. (APN: 316-04-008)

File #: 2019-7198

Zoning: R-0 (Low Density Residential)

Applicant / Owner: Prashant Jain (applicant-owner)

Environmental Review: A Class 1 (e) (1) Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

Project Planner: Teresa Zarrin, 408-730-7429,
tzarrin@sunnyvale.ca.gov

1.C [19-0921](#)**REQUEST FOR CONTINUANCE TO SEPTEMBER 9, 2019****Proposed Project:**

MAJOR MOFFETT PARK DESIGN REVIEW PERMIT: to construct a new four-story 123,595 s.f. office building and associated site improvements resulting in a 47% FAR

Location: 1389 Moffett Park Drive (APN: 110-37-002)

File #: 2018-8050

Zoning: MP-I (Moffett Park Industrial)

Applicant / Owner: RMW Architecture & Interiors (applicant) / WP Carey & Harvest Properties, Inc. (owner)

Environmental Review: Mitigated Negative Declaration

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

PUBLIC HEARINGS/GENERAL BUSINESS

2. [19-0869](#)

Proposed Project:

DESIGN REVIEW: To construct a second-story addition of 280 square feet to an existing two-story single-family home, resulting in 3,235 square feet (2,800 square feet living area and 435 square feet garage) and 49% floor area ratio (FAR).

Location: 1534 Sandpiper Court (APN: 313-23-037)

File #: 2019-7437

Zoning: Low Density Residential (R-0)

Applicant / Owner: Xu Engineering (applicant) / Pavan Kumar Golla and Lakshmianupama Tadikonda (owner)

Environmental Review: A Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

Project Planner: Kelly Cha, 408-730-7408, kcha@sunnyvale.ca.gov

Associate Planner Kelly Cha presented the staff report.

Commissioner Weiss asked staff why the front of the house on the left is under construction. Associate Planner Cha responded that the Accessory Dwelling Unit (ADU) was approved in May 2019 at the staff level because the project was under 45% Floor Area Ratio. Principal Planner Noren Caliva-Lepe clarified that the current proposed project application was submitted after the ADU was approved and that the purview for the current proposed project is limited to the second story addition.

Vice Chair Simons stated his concern for adequate lighting leading up to the front entryway to increase safety and asked staff to work with the applicant to determine appropriate lighting placement. Associate Planner Cha stated that there are currently no requirements for lighting placement and Principal Planner Caliva-Lepe suggested that Vice Chair Simons give formal direction to staff to work with the applicant and owner.

Chair Howard opened the Public Hearing.

Joseph Xu, designer and engineer representing applicant Xu Engineering, and Pavan Golla, homeowner, presented information about the proposed project.

Commissioner Harrison asked Mr. Golla why he did not apply for the ADU and the

second story addition at the same time. Mr. Golla responded that his family did not decide to move forward with the second story addition until after they applied for the ADU and that now his family intends to move into the ADU while the second story is under construction. Commissioner Harrison asked Mr. Golla where the bedrooms were located in his home prior to ADU construction. Mr. Golla stated that he originally had three bedrooms on the first floor and one bedroom on the second floor, and once construction is completed for both projects, he would have one bedroom and one study on the first floor and three bedrooms on the second floor. Commissioner Harrison confirmed with Mr. Golla that he applied for the ADU before his family decided to move forward with the second story addition.

Chair Howard opened the Public Hearing.

Lakshmi Raghu Gandham, Sunnyvale resident, stated his privacy concerns with the proposed second story bedroom windows that would face his backyard and family room.

Commissioner Howe asked staff if Mr. Gandham's concerns have been previously addressed. Associate Planner Cha stated that staff was not aware of Mr. Gandham's concerns prior to this meeting. She stated that the proposed second story windows are egress windows placed there to provide privacy to the neighbors at either side of the house and explained that the egress windows are more than thirty feet from the property line but that staff can work with the applicant to minimize Mr. Gandham's concerns.

Mr. Golla and Mr. Xu stated that they are willing to work with Mr. Gandham to address the privacy issue.

Mr. Xu stated that they are amenable to relocating the second floor bedroom window to the northeast corner of the property but that it cannot be frosted because it is an egress window.

Principal Planner Caliva-Lepe stated that the options are a non-frosted window rear-facing and more than thirty feet from the property line or northeast facing and more than twenty-six feet from the property line.

Vice Chair Simons stated that he believes the Commission has required certain types of glass treatments to mitigate privacy concerns with past projects. Principal Planner Caliva-Lepe stated that it depends on the level of opacity and that staff can

work with the Building Division to determine an acceptable obscured glass for the egress window if added as a Condition of Approval.

Chair Howard added that landscaping between the line of sight of the window and the neighbor's property is an option to reduce the privacy concern.

Principal Planner Caliva-Lepe stated that if the other rear-facing window were relocated to a side elevation that the setback would only be eight feet. Mr. Xu stated that Mr. Gandham is not concerned with the placement of that window.

Chair Howard asked Mr. Xu and Mr. Golla if landscaping would be a helpful solution. Mr. Gandham stated that he is not concerned about that window.

Vice Chair Simons confirmed with Mr. Gandham that requiring obscured glass would be an acceptable, permanent solution since a tree would not provide the needed privacy until maturity.

Chair Howard closed the Public Hearing.

MOTION: Vice Chair Simons moved and Commissioner Howe seconded the motion for Alternative 2 - Approved the Design Review with the following modified conditions:

- 1.) Provide adequate lighting to the front entryway for safety purposes;
- 2.) Relocate the second floor rear bedroom window on the northeast corner of the property to the north side ("left side") of the elevation. Explore options to use obscured glass for privacy, while meeting egress requirements; and
- 3.) Plant a non-deciduous tree that would be at least the same height as the relocated window at maturity along the left side setback to minimize privacy impacts to the adjacent neighbor.

Vice Chair Simons stated that obscured glass is a good option to preserve privacy that the Commission should use more often and that the purpose of the added tree is to provide an extra layer of privacy at maturity when the windows are open. He stated that he can make the findings, commented that the proposed project is a nice addition to the home, and encouraged the homeowner and applicant to improve safety by providing adequate lighting to the front entryway.

Chair Howard confirmed with Principal Planner Caliva-Lepe that the obscured glass

should be added to the window if feasible.

Commissioner Howe stated that he can make the findings and thanked Mr. Golla and Mr. Gandham for their cooperation in achieving a compromise.

Chair Howard restated the motion.

The motion carried by the following vote:

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

No: 0

Principal Planner Caliva-Lepe stated that this action is final unless appealed or called up for review by the City Council within 15 days.

3. [19-0922](#) Select Planning Commission Member to Serve on Arts Committee for New Civic Center

MOTION: Commissioner Harrison nominated Vice Chair Simons to serve on the Arts Committee for the new Civic Center.

Chair Howard opened the Public Hearing.

There were no public speakers for this item.

Chair Howard closed the Public Hearing.

The motion carried by the following vote:

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

No: 0

Assistant Director Andrew Miner congratulated Vice Chair Simons and stated that the Department of Public Works will follow up with him.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

4. [19-0897](#) Potential Study Issue for 2020: Amnesty Program for Existing Unpermitted Accessory Dwelling Units

Assistant Director Andrew Miner stated that the Commission should discuss and clarify the study issue and then vote to add it to the running list of study issues to be sponsored and ranked at the end of the year.

Commissioner Weiss clarified that her objective is to bring unpermitted Accessory Dwelling Units (ADU) up to code and stated that there are organizations that can provide assistance with the fees and construction costs associated with voluntarily legalizing and permitting them. Assistant Director Miner stated that the scope Commissioner Weiss described is better suited for the Housing and Human Services Commission's purview and asked her to submit her comments to forward to the Housing Division.

Chair Howard opened the Public Hearing.

There were no public speakers for this item.

Chair Howard closed the Public Hearing.

This study issue was not nominated for potential sponsorship as it is not a Planning Commission-related study issue. It will be forwarded to the Housing and Human Services Commission for consideration.

5. [19-0898](#) Potential Study Issue for 2020: Updates to the Single Family Home Design Techniques Document

Commissioner Rheaume confirmed with Assistant Director Andrew Miner that the goal of this study issue would be to help applicants better understand the major elements of typical architectural styles. Assistant Director Miner stated that staff time may be a constraint but that it is a worthwhile study issue to pursue to ensure that staff and the Commission are working together and that the document better reflects the current expectations.

Vice Chair Simons stated that he would like to add the importance of architectural consistency and expand the options for architectural variation to the goals of the study issue.

Commissioner Harrison stated that she supports the study issue and the incorporation of sustainability concepts into the design review process.

Commissioner Weiss stated that the updated guidelines only need to address the major areas of concern to give helpful direction but also allow flexibility in design.

Chair Howard opened the Public Hearing.

There were no public speakers for this item.

Chair Howard closed the Public Hearing.

This study issue was nominated for potential sponsorship.

6. [19-0899](#) Potential Study Issue for 2020: Signs as Art

Vice Chair Simons stated that this study issue would help address better sign placement and direction and allow applicants to deliver required art through signage. Assistant Director Andrew Miner stated that there would be fine details to address and Senior Assistant City Attorney Rebecca Moon stated that there are potential legal issues to consider such as avoiding subjective criteria and potential incidents of new occupants wanting to remove a previous sign that has been designated as art. Vice Chair Simons stated his interest in making signs as art legal in order to improve the city's signage.

Chair Howard opened the Public Hearing.

There were no public speakers for this item.

Chair Howard closed the Public Hearing.

This study issue was not nominated for potential sponsorship.

7. [19-0900](#) Potential Study Issue for 2020: Develop Landscape Design Guidelines for Development Projects

Vice Chair Simons clarified that estate-sized trees should refer to trees that are genetically large at maturity and that he would like to consider surveying other cities' useful ideas. Assistant Director Andrew Miner stated that staff would examine other cities' best practices.

Commissioner Rheaume confirmed with Vice Chair Simons that taller buildings should require landscaping with taller trees and stated that the large quantity of trees added to proposed projects is not always necessary, that trees are often an inappropriate size, and that some are planted in such a way that prohibits a natural walking path. Assistant Director Miner stated that it is possible to examine the zoning code and design guidelines to potentially address these issues.

Commissioner Harrison confirmed with Assistant Director Miner that this study issue is within the Commission's purview because it involves trees related to proposed projects.

Chair Howard stated that he would like to support landscaping that provides ecosystem services and maximizes carbon sequestration. Assistant Director Miner stated that it would be more advantageous to establish a narrower focus but research other areas of opportunity for future implementation.

Chair Howard opened the Public Hearing.

Zachary Kaufman, Sunnyvale resident, stated his concern that single family homeowners may be encumbered by future landscape design guidelines and expressed his interest in the City making preliminary landscape design plans accessible to the public.

Chair Howard closed the Public Hearing.

Commissioner Harrison confirmed with Assistant Director Miner that applicants are required to submit preliminary landscape design plans at the time of application.

Commissioner Rheume confirmed with Assistant Director Miner that staff work with applicants to ensure that designs work with the existing landscaping and stated that it would be helpful if this goal were official policy.

This study issue was nominated for potential sponsorship.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Chair Howard stated that there is an application called Safe Bike Lanes that allows users to take pictures of bike lanes that can be shared with relevant government agencies to help them build and improve effective bike lane infrastructure.

-Staff Comments

Assistant Director Andrew Miner stated that on August 27, 2019 the City Council will consider the General Plan Amendment Initiation request for 828 Morse Avenue and 560 E. Ahwanee Avenue, the new Civic Center schematic plan, and the Commission's recommendation to formally change the Commission public hearing start time to 7:00 PM as part of changes to the Board and Commission Bylaws.

ADJOURNMENT

Chair Howard adjourned the meeting at 8:46 PM.