

(F17-032)

Public Hearing opened at 10:38 p.m.

No speakers.

Public Hearing closed at 10:38 p.m.

MOTION: Councilmember Meyering moved to deny the contingency amount until Council is provided with oversight reports as to when and for what contingencies the money was used.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Award a contract in an amount not-to-exceed \$425,000, in substantially the same form as Attachment 1 to the report, to Convergent Computing; and 2) approve a 10% contract contingency in the amount of \$42,500.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Davis
Councilmember Klein

No: 1 - Councilmember Meyering

- 1.F** [16-0915](#) Adopt Ordinance No. 3094-16 to Repeal Section 19.22.035 (Requirements for High-Intensity Industrial Development) of Chapter 19.22 (Industrial Zoning Districts) of Title 19 (Zoning) and to add Chapter 19.45 (Transportation Demand Management) to Title 19 (Zoning) related to Transportation Demand Management Programs in High-Intensity Industrial and Office Developments and Multi-Family Residential Developments

Adopt Ordinance No. 3094-16.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [16-0907](#) Adopt the PEERY PARK SPECIFIC PLAN (2013-7653) and related actions:
-Adopt a resolution to certify the EIR with errata #1 and #2, make the CEQA findings, adopt the statement of overriding considerations, mitigation monitoring and reporting program,

- water supply assessment and other related items;
- Adopt a resolution to adopt the Peery Park Specific Plan and make related amendments to the General Plan;
- Introduce an ordinance to create the Peery Park Specific Plan district and rezone the parcels in the Plan Area;
- Adopt a resolution to establish fees for Peery Park;
- Adopt a motion to prioritize the flexible community benefits;
- Appropriate \$100,000 of City Funds to provide a portion of the local match for the Peery Park Rides Grant Program; and
- Direct staff to undertake the appropriate environmental analysis and community outreach and return to Planning Commission and City Council to consider whether the Peery Park Specific Plan should be amended to include additional housing opportunities on two sites.

Councilmember Meyering left the room. City Attorney John Nagel reported Councilmember Meyering was recused for the same reason as stated regarding Consent Item 1.D, due to the proximity of his home to Peery Park.

Director of Community Development Trudi Ryan and Principal Planner Amber Blizinski presented the staff report. Planner Officer Andy Miner, Director of Public Works Manuel Pineda, City Manager Santana and Erika Leachman, AMEC Foster Wheeler, provided additional information.

Public Hearing opened at 8:24 p.m.

Dave King spoke in opposition to the proposed openings in the wall on Ferndale Avenue citing concerns for safety and privacy in the SNAIL neighborhood, and reiterated an earlier request to remove the additional bicycle and pedestrian connectivity on Ferndale and Duane and include alternatives for improved connectivity.

Ron Banks expressed concerns regarding impacts of increased traffic and requested consideration of the shuttle and involvement of VTA.

John Cordes, Bicycle and Pedestrian Advisory Commission member speaking for himself, spoke regarding significant and unavoidable impacts to traffic, air quality and greenhouse gases and in support of net zero new cars in the plan.

Curt Setzer, Simeon Commercial Properties, owner of four properties in Peery Park, spoke in support of approval of the Peery Park Specific Plan (PPSP) and regarding sensitivity to developers regarding appropriate levels of providing

community benefits.

Craig Hine, Spear Street Capital, spoke in support of the plan and regarding the benefits to the community.

Sharon McKnight requested removal of the breaks in the wall citing privacy and security concerns for the SNAIL neighborhood.

Ann Davis spoke in support of landscaping on the east side of Mathilda, in opposition to the breaks in the wall, in support of the housing project on San Aleso and in support of improved connectivity in alternative ways.

Dwight Davis spoke in opposition to breaks in the wall on Duane and expressed concern regarding parking issues.

Tarik Peterson, Chairman of SNAIL neighborhood association and a cyclist, expressed members' concerns regarding the holes in the wall. Speaking for himself, Peterson stated the holes in the wall are not essential to the plan.

Valerie Soares, Vice Chair of SNAIL neighborhood association speaking for herself, spoke in opposition to the openings in the wall citing parking concerns and in support of the Peery Park project.

Phyllis Freeman spoke in opposition Peery Park development due to concerns with traffic and air quality, but stated if developed, she would like to see more benefits to the SNAIL neighborhood such as restaurants. Freeman spoke in opposition to the hole in the wall.

Peter Hellmann, Calatlantic Homes, spoke in support of the plan, and stated the overwhelming response to the neighborhood outreach has been opposition to the holes in the wall. Hellmann stated they are prepared to proceed with or without the holes in the wall.

Public Hearing closed at 8:57 p.m.

MOTION: Councilmember Griffith moved and Councilmember Klein seconded the motion to approve Alternatives 1, 2, 3, 4, 5, and 6:

1. Adopt a Resolution (Attachment 3 to the report) to:
 - a. Certify the EIR;
 - b. Make the Findings Required by the California Environmental Quality Act;
 - c. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and

Reporting Program;

- d. Adopt the Water Supply Assessment;
 - e. Amend the General Plan to Create the Peery Park General Plan Designation;
 - f. Update the General Plan Map to Reflect the Peery Park Plan Area;
 - g. Adopt the Peery Park Specific Plan, with Modifications;
 - h. Adopt the Peery Park Specific Plan Community Benefits Table;
 - i. Repeal the Southern Pacific Corridor Specific Plan Site 2; and
 - j. Accept the errata to the EIR (Attachment 28) and find that none of the circumstances triggering recirculation of the EIR or subsequent environmental review have occurred under CEQA Guidelines Sections 15088.5 and 15162.
2. Introduce an Ordinance (Attachment 4 to the report) to:
 - a. Amend Sunnyvale Municipal Code (SMC) Section 19.16.020 (Zoning Districts Creation), repeal SMC Section 19.16.070 (Perry Park District Review Process); Add SMC Section 19.27.040 (Peery Park Specific Plan District);
 - b. Amend the Precise Zoning Plan Zoning Districts Map to add the Peery Park Specific Plan District and Rezone the Parcels in the Peery Park Specific Plan Area to Peery Park Specific Plan District; and
 - c. Rezone the Encinal Park Parcel to Public Facilities.
 3. Adopt a Resolution (Attachment 5) to:
 - a. Amend Resolution No. 762 16 (Master Fee Schedule) to add the Peery Park Plan Review Fees, Peery Park Conditional Use Permit Fees, a Peery Park Specific Plan Fee, and Peery Park Wastewater Infrastructure Fee;
 - b. Authorize the City to impose Peery Park Sense of Place and Water Infrastructure Fees on a project specific basis.
 4. Make a Motion to Prioritize the Flexible Community Benefits as recommended by staff.
 5. Direct staff to include a new project for \$100,000 to provide matching funds for the Peery Park Rides Grant Program in the FY 2017/18 Recommended Budget.
 6. Direct staff to undertake the appropriate environmental analysis and community outreach and return to Planning Commission and City Council to consider whether the Peery Park Specific Plan should be amended to include additional housing opportunities. Further direct that the PPSP housing amendment study for the California Avenue and Hermosa Court sites be completed within three years of the adoption of the PPSP and that, if formal applications to amend the Plan to include housing have not been submitted by either of the owners of the two properties within one year, staff will return to City Council for consideration of a Budget Modification for staff to proceed with the housing amendment study;
- With the following changes: remove Sections 4.3.3 (C) Ferndale Avenue Bike Pedestrian Connection and (D) Duane Avenue Bike Pedestrian Connection from the Peery Park Specific Plan, and additional direction that community benefits are not going toward ongoing expenses.

City Attorney Nagel stated that the sections cited in the motion are not the only sections pertaining to the connectivity through the wall and recommended a minor modification to the motion to refer to “any other sections...” that reference the connectivity through the wall.

The maker of the motion and second accepted the recommended modification.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Davis
Councilmember Klein

No: 0

Recused: 1 - Councilmember Meyering

Council recessed at 9:45 p.m.

Council reconvened at 9:50 p.m. with all Councilmembers present.

3 [16-0844](#) City-wide Residential Food Scraps Collection Program for Single-Family Households and Small Businesses that Use Commercial Cart Service

Director of Environmental Services John Stufflebean provided the staff report. Environmental Programs Manager Karen Gissibl and Director of Finance Tim Kirby provided additional information.

Public Hearing opened at 10:15 p.m.

Dan Hafeman spoke in support of the program.

Public Hearing closed at 10:17 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Griffith seconded the motion to approve Alternative 1: Direct staff to implement a split cart curbside collection program to collect food scraps along with garbage for single family households and small businesses that use commercial cart service.