



City of Sunnyvale

Meeting Minutes - Final Planning Commission

Monday, June 8, 2015

7:15 PM

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

SPECIAL STUDY SESSION START TIME

7:15 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM

- 1 [15-0571](#) **File #:** 2015-7259
Location: 423 E. Maude Avenue (APN: 204-21-006)
Zoning: R-3 (Medium Density Residential)
Proposed Project: Related applications on a 0.59-acre site:
 DESIGN REVIEW to allow 11 townhouse units;
 VESTING TENTATIVE MAP to subdivide one lot into 12 lots,
 including 11 ownership lots and one common lot.
Applicant / Owners: Classic Communities / Robert Alonso Trustee
Environmental Review: Mitigated Negative Declaration
Project Planner: Noren Caliva-Lepe, (408) 730-7659,
 ncaliva-lepe@sunnyvale.ca.gov

2 Public Comment on Study Session Agenda Items

3 Comments from the Chair

4 Adjourn Study Session

8:00 P.M. PLANNING COMMISSION - PUBLIC HEARING - COUNCIL CHAMBERS

CALL TO ORDER

Chair Melton called the meeting to order at 8:00 p.m.

SALUTE TO THE FLAG

Chair Melton led the salute to the flag.

ROLL CALL

Present: 7 - Chair Russell Melton
Vice Chair Ken Olevson
Commissioner Ralph Durham
Commissioner Sue Harrison
Commissioner Larry Klein
Commissioner Ken Rheaume
Commissioner David Simons

PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS

Vice Chair Olevson announced the recruitment of new members for all City Boards and Commissions.

CONSENT CALENDAR

1.A [15-0593](#) Approval of the Draft Minutes of the Planning Commission Meeting of May 27, 2015

Comm. Simons moved to approve the draft minutes. Comm. Klein seconded. The motion carried by the following vote:

Yes: 7 - Chair Melton
Vice Chair Olevson
Commissioner Durham
Commissioner Harrison
Commissioner Klein
Commissioner Rheaume
Commissioner Simons

No: 0

1.B [15-0623](#)**File #:** 2014-7900**Location:** 625-627 E. Taylor Ave. (APNs: 205-29-006 and 205-29-007)

Proposed Project: Related applications on a 0.9-acre site:
 SPECIAL DEVELOPMENT PERMIT for 20 townhome-style condominiums and site improvements, including a request to deviate from side yard and distance between buildings requirements; and
 VESTING TENTATIVE MAP to create one common lot and 20 condominiums.

Applicant / Owner: 627 Taylor LLC**Environmental Review:** Mitigated Negative Declaration**Project Planner:** Rosemarie Zulueta, (408) 730-7437, rzulueta@sunnyvale.ca.gov

NOTE: *Staff recommends continuance of this item to the Planning Commission meeting of June 22, 2015 to provide the applicant more time for additional architectural modifications.*

Comm. Simons moved to approve the continuance of this item to the Planning Commission meeting of June 22, 2015. Comm. Klein seconded. The motion carried by the following vote:

Yes: 7 - Chair Melton
 Vice Chair Olevson
 Commissioner Durham
 Commissioner Harrison
 Commissioner Klein
 Commissioner Rheaume
 Commissioner Simons

No: 0

PUBLIC HEARINGS/GENERAL BUSINESS

2 [15-0555](#)**File #:** 2015-7255**Location:** 1381 Lillian Avenue (APN: 309-08-058)**Zoning:** R-0**Proposed Project:**

DESIGN REVIEW: To allow a first-story addition of 2570.6 square feet with accessory living unit to an existing one-story single-family home, resulting in 4022.6 square feet (3620.6 square feet living area and 402 square feet garage) and 43.3% floor area ratio. Lot coverage proposed is 44.8%, and proposed height of single-story home would be approximately 21'6".

Applicant / Owner: Andy Lee**Environmental Review:** Class 1 Categorical Exemption**Project Planner:** Stephanie Skangos, (408) 730-7411,
sskangos@sunnyvale.ca.gov

Gerri Caruso, Principal Planner, presented the staff report.

Comm. Rheame confirmed with Ms. Caruso that this project is before the Planning Commission due to the design being above 3,600 square feet, and discussed the percentage of required rear yard that must remain when building a first floor addition. Comm. Rheame and Ms. Caruso compared the height of the roof at a pitch of 4:12 and one of 5:12, and confirmed that if the pitch is 4:12 it would not affect the floor plan or exterior walls.

Comm. Klein confirmed with Ms. Caruso that there are five required parking spaces and discussed the general parking requirements for secondary living units. Comm. Klein also discussed with Ms. Caruso the location of the extra parking space and the minimum length of each parking space.

Vice Chair Olevson confirmed with Ms. Caruso that Condition of Approval (COA) GC-3 regarding a deed restriction is a code requirement, and confirmed that BP-8(b and c) regarding requirements for an exterior emergency escape and ladder access should be removed.

Comm. Simons discussed the tree removal plan with Ms. Caruso, who explained that COA GC-6 was added because a neighbor indicated that the applicant wanted to remove the protected tree. Comm. Simons discussed with Ms. Ryan whether the design guidelines are unnecessarily affecting the roof height and architecture, and discussed with Trudi Ryan, Planning Officer, that the concern with this design is that it is a large house with a large roof span.

Comm. Durham noted a typo in Attachment 4, and confirmed with Ms. Caruso that there is no requirement for a paved walkway and front gate. Comm. Durham also

discussed with Ms. Caruso whether the higher pitched roof would result in faster water runoff.

Comm. Harrison noted that two of the bedrooms have no direct access to showering facilities, and verified with Ms. Caruso that there is no requirement for the access.

Chair Melton opened the public hearing.

Andy Lee, the applicant, gave a presentation on the proposed project.

Vice Chair Olevson confirmed with Mr. Lee that the property is not currently abandoned, and discussed how the staff recommendation of the 4:12 roof pitch would affect the use of space inside the home and attic.

Comm. Klein verified the location of the protected trees with Mr. Lee, and confirmed that Mr. Lee is amenable to evaluating the Cyprus tree on the site for sickness and going through the Tree Removal Permit process if required.

Comm. Harrison and Mr. Lee discussed the use of the rooms that have no direct access to a bathroom, and discussed why Mr. Lee decided to design the accessory dwelling unit with 500 square feet rather than the maximum 700.

Comm. Simons verified with Mr. Lee which tree is protected, and further discussed the two roof pitches and the potential impacts to the interior design elements.

Chair Melton closed the public hearing.

Comm. Rheume discussed with Ms. Caruso the staff recommendation for the 4:12 roof pitch.

Comm. Harrison discussed the number of new houses approved with 4:12 and 5:12 roof pitches, and confirmed that the Planning Commission can approve the 5:12 roof pitch.

Comm. Simons confirmed with Ms. Ryan that the lot coverage for single story homes was implemented about eight years ago.

Comm. Rheume moved Alternative 2 to approve the Design Review with a modified condition to remove PS-1, allowing the 5:12 roof pitch.

Comm. Harrison seconded.

Comm. Rheume thanked the applicant for the presentation and adding an accessory living unit. He said the lot size is large and the applicant was able to meet the setback and lot coverage requirements. He said he respects the staff recommendation for the 4:12 roof pitch but that it is a big house that would look like someone stomped on it if required to shrink. He said he understands the applicant's concern about neighbors remodeling their homes with 5:12 roof pitches and his home being the only one with a 4:12 roof pitch. He added that he can make the findings, that the design meets setback requirements and that it is a nice design that will add to the neighborhood.

Comm. Harrison said she is persuaded by the applicant's statement that the peak of the roof is set 45 feet back from the street, and that it is deceptive when you see elevations that appear to be on one plane when in fact they are not. She said even with PS-1 removed the project meets the Design Guidelines, and she offered a friendly amendment to include GC-6 regarding tree removal permits in the motion.

Comm. Rheume accepted.

Comm. Harrison offered a friendly amendment to remove BP-8 sections b and c regarding emergency ladders.

Comm. Rheume accepted.

Vice Chair Olevson said that with the friendly amendments this will be a great project, and that he likes the design and what applicant is trying to do for his family and the neighborhood. He said he is appreciative of the issues with the trees, but that they will be taken care of, and when the work is done and the landscaping is in the project will be a strong enhancement to the neighborhood. He added that he can make the findings to support the project.

Comm. Klein said he will be supporting the motion. He said he feels for the applicant because he understands they have gone through a long process and have worked with staff on the design, and that what allowed him to deal with 5:12 roof pitch is what Comm. Harrison said regarding the setback from the street and the massing of the home. He applauded the applicant for adding a secondary living unit on the property, which is one of the very unused ways to add affordable housing within the City and that as we have more issues with housing secondary living units will be used a lot more. He said there are good and bad examples of single- and two-story homes in this neighborhood and that one finds that neighbors

are much happier with single story homes next to them which causes fewer issues overall. He added that he is looking forward to this project moving forward.

Comm. Simons said roof heights have been an issue in the City and the guidelines were set up because of conflict in the past where people push the design boundaries, often upsetting their neighbors. He noted that two-story homes that had a lot of privacy invasion issues, particularly in Eichler neighborhoods, spurred the development of the guidelines. He noted that the 5:12 roof pitch does not look very different from the 4:12, and that it does not make too much difference architecturally. He said this design is for a single story, very large scale and wide house, and that he will be supporting the motion, but that this is an example of different types of architecture getting modified to the point of unrecognition. He said everything is forced to look like a layer cake if it is two stories and on the other hand there is a push because of privacy issues. He said in Sunnyvale we can have a colonial style two-story home that will be narrow because all of the setback requirements, and that he would like to have a conversation about how to achieve a better balance. He said this is a good illustration of conflict coming up between architectural and privacy issues, which tend to negatively impact some of the architectural details of the housing stock. He said regarding other homes in the neighborhood, to him it does not matter whether they were grandfathered in prior to the Design Guidelines, and that the question is what we really want as a City. He said usually he is in support of the Design Guidelines, but this is a particular case where it looks good and improves the feel of the neighborhood.

Comm. Durham thanked staff for the hard work and the applicant for coming up with a good addition to the neighborhood. He said he will be supporting the motion, and that adding the extra unit in the back helps with the housing crunch a little bit. He noted that we spent a lot of time discussing the roof pitch and that there will not be much of a difference between the 4:12 and 5:12 pitches from the front view. He said it may look better from the sides where you have longer spans and the sections that are two feet higher.

Chair Melton said he will be supporting the motion and can make the findings. He said this is a good looking project, and that he talked to the neighbors on a site visit and they expressed gratitude that the design is not two stories. He also thanked staff for a great job on the staff report and for working with the applicant.

MOTION:

Comm. Rheume moved Alternative 2 to approve the Design Review with modified conditions:

- 1) Remove PS-1, allowing the 5:12 roof pitch;

- 2) Add GC-6 regarding tree removal permits; and,
- 3) Remove BP-8(b and c) regarding requirements for an exterior emergency escape and ladder access to the window escape(s).

Comm. Harrison seconded. The motion carried by the following vote:

Yes: 7 - Chair Melton
Vice Chair Olevson
Commissioner Durham
Commissioner Harrison
Commissioner Klein
Commissioner Rheaume
Commissioner Simons

No: 0

3 [15-0121](#) **File #:** 2014-7770
Location: 845 Maria Lane (APNs: 211-50-025)
Zoning: R-3
Proposed Project: Related applications on a 0.24-acre site:
 DESIGN REVIEW: to allow 5 residential townhouse-style
 condominium units.
 VARIANCE: to allow Useable Open Space in the required front
 yard.
 TENTATIVE MAP: for 5 condominiums on one common lot (to
 be heard at a subsequent Zoning Administrator public hearing).
Applicant / Owner: HRH Architects / 10 Barneson LLC
Environmental Review: Categorical Exemption Class 3
Project Planner: Margaret Netto, Planner (408) 730-7628,
 mnetto@sunnyvale.ca.gov

Margaret Netto, Project Planner, presented the staff report.

Comm. Rheume confirmed with Ms. Netto that the useable open space is meant to be in the backyard. Trudi Ryan, Planning Officer, explained that the useable open space cannot be in the required front yard. Comm. Rheume verified with Ms. Netto that the required front yard and useable open space meet recommended totals.

Vice Chair Olevson confirmed with Ms. Netto that the front and rear areas discussed in the staff report refer to useable open space at the corner of the lot. Vice Chair Olevson also verified with Ms. Netto that the five secured bicycle parking spaces are in the garage. He noted a typo on page three, and confirmed with Ms. Netto that the required permitted lockable storage space is 300 cubic feet. Vice Chair Olevson confirmed with Ms. Ryan that staff recommends the exterior materials be reviewed by the Director of Community Development, and verified with Ms. Netto that Condition of Approval (COA) BP-8 regarding the tree protection plan refers to ten percent of the total trees.

Comm. Harrison confirmed with Ms. Netto that all private space is in the form of hardscaping as patios, and Ms. Netto explained the stoop features. Comm. Harrison also confirmed with Ms. Netto that there is non-hardscape and that it is not private.

Chair Melton clarified with Ms. Ryan the definition of the stoops, and Ms. Ryan explained that the patio is useable open space. Chair Melton discussed with Ms. Netto the material used for the patio area.

Vice Chair Olevson confirmed with Ms. Netto that the project will have an alleyway

leading to the garage that is at grade level.

Chair Melton opened the public hearing.

Hamid Hekmat, Principal at HRH, gave a presentation on the proposed project.

Comm. Simons discussed the architectural features with Mr Hekmat.

Comm. Klein and Mr. Hekmat discussed the color scheme of the project.

Comm. Harrison commented on the features of the project she likes, and confirmed with Mr. Hekmat that higher density was not considered for the project.

Comm. Rheaume verified with Mr. Hekmat that the gray material around the box windows is stained wood siding, and discussed the window material and color scheme.

Comm. Simons and Mr Hekmat discussed using tan and gray pavers rather than tan alone.

Comm. Durham discussed with Chris Tai, Landscape Architect, the species of trees that will be planted on the street side to help shade the units.

Chair Melton closed the public hearing.

Comm. Simons moved Alternative 2 to approve the Variance, Design Review and recommend approval of the Tentative Map with modified conditions:

- 1) Modify PS-1, final exterior building materials and color scheme are subject to review and approval by the Director of Community Development; and,
- 2) Use of tan and gray pavers for the decorative paving.

Chair Melton confirmed with staff that approval of the Tentative Map will go to the Zoning Administrator.

Comm. Harrison seconded.

Comm. Simons said this is a pleasant project for him, and that the developer wanted to bring something unique to the City. He said he has not seen this color with this type of design in Sunnyvale and noted that he likes seeing variations of architecture. He said that if a Vermont window was added it would fit in this design and add architectural interest. He noted that he has seen many townhomes that

have some more interesting architecture and many houses that do not have as much energy, and that may be because architects working with multi-units are freer. He said he will be supporting the project and can make the findings.

Comm. Harrison said the project is interesting architecturally, that she appreciates the density and useability for the residents and that the materials board really helps.

Comm. Rheaume said he will be supporting the motion and can make the findings for the Variance. He said avoiding all the driveways on Maria improves the walkability and that we should encourage people to walk in their neighborhoods. He said the project meets the Design Guidelines and setbacks, and that he likes that the applicant is bringing in a new design. He stated that these are not the same old townhouses we have seen and hopes this will encourage different types of designs. He said the quality is there and commended the applicant, and said he hopes to see more quality projects come to the Planning Commission.

Vice Chair Olevson said he will be supporting the motion and can make the finding that the project meets the Citywide Design Guidelines. He said the justifications for the Variance are met and that the lot dimensions would be a challenge for any project. He said this project does a great job of bringing nice architecture and density to an area within walking distance to major shopping areas, from grocery to restaurants to others, and that he can make the statement that the Tentative Map does not meet the requirements for the things that would kill it. He added that he wished the project proponents the best.

Comm. Durham said he can make the findings for this project, which will be the best one on the block and will fit in yet stand out. He said this is a hard lot to work with, and that he would like more privacy for the patios against the street, but that given the constraints he would rather not see them on the north side staring into someone else's parking lot and garage space. He said this is the best thing that can be done, and that privacy can be increased by having the patios raised four feet and using some plantings other than what is shown in the renderings that can act as a privacy screening.

Chair Melton said he will be supporting the motion, and that this is a nice project and a nice place to put it where it will fit in well. He said he can make the findings, and that we are delegating some work to the Zoning Administrator and that he wishes them the best of luck.

MOTION: Comm. Simons moved Alternative 2 to approve the Variance, Design

Review and recommend approval of the Tentative Map with modified conditions:

- 1) Modify PS-1, final exterior building materials and color scheme are subject to review and approval by the Director of Community Development; and,
- 2) Use of tan and gray pavers for the decorative paving.

Comm. Harrison seconded. The motion carried by the following vote:

Yes: 7 - Chair Melton
Vice Chair Olevson
Commissioner Durham
Commissioner Harrison
Commissioner Klein
Commissioner Rheaume
Commissioner Simons

No: 0

4 [15-0492](#) **FILE #:** 2015-7353
Location: 1250 Lakeside Drive (APNs: 216-43-035 and 216-43-036)
Proposed Project:
 LAKESIDE SPECIFIC PLAN AMENDMENT INITIATION
 Request to study a site layout change in the Lakeside Specific
 Plan by reversing the locations of the hotel and residential
 components.
Applicant/Owner: Wittek Development/ Aircoa Equity Interests, Inc.
Project Planner: Trudi Ryan (408) 730-7435,
 tryan@sunnyvale.ca.gov

Trudi Ryan, Planning Officer, presented the staff report.

Comm. Durham discussed with Ms. Ryan the potential residential building heights if the hotel and residential components are flipped.

Vice Chair Olevson and Ms. Ryan discussed the history behind having a Specific Plan for such a small site.

Comm. Harrison and Ms. Ryan discussed the rationale behind the site plan with the hotel on the west side, and discussed the distance from the proposed residential site from Highway 101.

Comm. Klein noted that he was on the Planning Commission when this project was previously approved and discussed with Ms. Ryan why the project had not come to fruition and what has changed since then. Comm. Klein confirmed with Ms. Ryan that the development standards of the Lakeside Specific Plan (LSP) would be addressed and some would remain, but that at a minimum the development permit will address new standards.

Comm. Simons commented on the loss of the heritage trees on the site, and confirmed with Ms. Ryan that it would be appropriate for the amendment to address future landscaping of the site, but that particulars could be addressed as the project moves forward.

Chair Melton opened the public hearing.

Patricia Curtin, Land Use Attorney with Wendel and Rosen, and Kurt Wittek with Wittek Development gave a presentation on the LSP amendment initiation request.

Vice Chair Olevson discussed with Ms. Curtin her earlier comment that there is language in the development standards of the LSP that justifies not doing a

Specific Plan Amendment.

Mr. Wittek noted that flipping the uses would place residential projects adjacent to one another and hotels adjacent to one another.

Ms. Curtin added that the applicant is looking to streamline the environmental review.

Chair Melton closed the public hearing.

Vice Chair Olevson verified with Ms. Ryan that staff believes the LSP amendment initiation is warranted.

Chair Melton suggested taking separate motions on Alternatives 1 and 2.

Comm. Klein moved Alternative 1 to initiate a study to amend the Lakeside Specific Plan to change the land use site plan.

Comm. Simons seconded and offered a friendly amendment to add a recommendation to City Council for consideration of addressing the loss of significant sized trees.

Comm. Klein accepted, and said he reread the LSP which had specific figures. He said the applicant is proposing a superior project but the site plan and land use across the site when the LSP was put together with the hotel on the west and residential on the east is currently not the best arrangement. He said swapping the locations while reevaluating the plan and bringing it up to speed on current City standards is a good thing to do, and that for the applicant's and City's sake he hopes this project moves forward and staff finds the hours to quickly amend the plan. He noted that overall the proposal is far superior with regard to relating residential uses on the west and hotels on the east, and that he hopes the streetscape along Highway 101 and access to the lake can be upgraded as quickly as possible.

Comm. Simons said there has been enough delay of the full development of this site, and that there have been many changes in City policy that will have some impact on what is most appropriate for the site. He commented on when new processes are needed, and added that it is a good idea to update the LSP.

Vice Chair Olevson said he will be supporting the motion, and that he is still perplexed that the City has a specific plan for such a small geographic area. He

said he appreciates City Council's opinion that there are enough vagaries that we do not need to do a new study, but because of those vagaries he would like to get it resolved and it appears that we can do it quickly and economically.

Chair Melton said he will be supporting the motion, that the applicant has a lot of corporate gusto and wants this to move forward quickly. He said he is looking forward to the results of the study.

MOTION: Comm. Klein moved Alternative 1 to initiate a study to amend the Lakeside Specific Plan to change the land use site plan, including a recommendation to have the study address the loss of significant sized trees.

Comm. Simons seconded. The motion carried by the following vote:

Yes: 7 - Chair Melton
Vice Chair Olevson
Commissioner Durham
Commissioner Harrison
Commissioner Klein
Commissioner Rheaume
Commissioner Simons

No: 0

Comm. Harrison moved Alternative 2 to allow the site development applications to be considered simultaneously with the Specific Plan Amendment.

Comm. Simons seconded.

Comms. Harrison and Simons had no further comment.

Chair Melton said he will not be supporting the motion and thanked Comm. Klein for splitting the motions. He said City Council adopted the new policy to split up the actions contemplated about the application for the project alongside the Specific Plan Amendment to be handled in separate public hearings. He said we may be able to handle these two issues in sequential public hearings by the Planning Commission and City Council, and that there is a lot of merit to doing them separately.

MOTION: Comm. Harrison moved Alternative 2 to allow the site development applications to be considered simultaneously with the Specific Plan Amendment.

Comm. Simons seconded. The motion carried by the following vote:

Yes: 4 - Commissioner Harrison
Commissioner Klein
Commissioner Rheaume
Commissioner Simons

No: 3 - Chair Melton
Vice Chair Olevson
Commissioner Durham

- 5 [15-0591](#) Nominate a Planning Commission Representative to the Sunnyvale El Camino Real Corridor Plan Advisory Committee (ECRPAC)
Staff Contact: Rosemarie Zulueta, (408) 730-7437,
rzulueta@sunnyvale.ca.gov

Trudi Ryan, Planning Officer, provided background information on the formation of a Plan Advisory Committee (PAC) for the update to the Precise Plan for El Camino Real.

Comm. Durham confirmed with Rebecca Moon, Senior Assistant City Attorney, that he should not abstain from voting.

Vice Chair Olevson nominated Chair Melton.

Chair Melton said he would be delighted to work on the task force.

Comm. Simons nominated Comm. Harrison.

Comm. Harrison said she accepts the nomination.

Chair Melton thanked Vice Chair Olevson for nominating him to serve on the PAC, and said this is a function of time, interest and importance and he has the time and interest. He said this will be an important project to the City of Sunnyvale that will achieve a lot, and he likes to think that he has the breadth of experience on the Planning Commission and knowledge of land use to make a valuable contribution along with numerous other Sunnyvale citizens. He thanked the Planning Commission in advance for their consideration.

Comm. Harrison said this is her gig, that she has a stack of books, has been on the Horizon 2035 Committee and has been doing land use since 2011. She said she became a Congress of the New Urbanism associate by taking an extensive course two years ago, and that this is exactly the topic discussed. She said it is about mixed use, especially in main retail corridors, which is where they focus new urbanism projects, and that this is something she has studied a lot, that she likes, is very interested in and is close to where she lives.

Vote for Chair Melton: 3-4.

Vote for Comm. Harrison: 5-2.

Comm. Harrison was nominated to be the Planning Commission representative to the ECRPAC.

6 [15-0592](#) Standing Item: Potential Study Issues for 2016

Comm. Harrison suggested a potential study issue that would look at how we can encourage alternative, non-traditional types of housing (e.g. live-work or micro units) to further the goal of the Sunnyvale vision and General Plan to encourage diversity and affordability in housing types near shopping, retail and employment.

Ms. Ryan said staff will do some research and come back to Planning Commission with more information.

NON-AGENDA ITEMS AND COMMENTS**-Commissioner Comments**

None.

-Staff Comments

None.

INFORMATION ONLY ITEMS

None.

ADJOURNMENT

With no further business Chair Melton adjourned the Planning Commission meeting at 10:13 p.m.