



# City of Sunnyvale

## Meeting Minutes - Final Planning Commission

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Monday, March 23, 2015

7:00 PM

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

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### **7:00 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM**

- 1 Highlights of 2015 Planning Commissioners Academy**
- 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**

#### **CONSENT CALENDAR**

**1.A**      [15-0330](#)      Approval of the Draft Minutes of the Planning Commission Meeting of March 9, 2015

Comm. Klein moved to approve the draft minutes with minor edits given to staff earlier. 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

**1.B**      [15-0340](#)      **File #:** 2015-7063  
**Location:** 1268 Townsend Terrace (APN: 202-37-025)  
**Zoning:** R-1.5/PD (Low Medium Density Residential / Planned Development) Zoning District  
**Proposed Project:**  
                 **SPECIAL DEVELOPMENT PERMIT:** for a first and second floor addition of 152 square feet to an existing two-story, single-family residence resulting in a building size of 2,368.5 square feet and 54.9% floor area ratio (FAR). The project also includes the expansion of the front porch.  
**Applicant / Owner:** Flanders Bay Company (applicant) / Tyson Leistiko (owner)  
**Environmental Review:** Categorically Exempt Class 1  
**Project Planner:** Momoko Ishijima, (408) 730-7532, [mishijima@sunnyvale.ca.gov](mailto:mishijima@sunnyvale.ca.gov)  
**NOTE:** *Noticed in error. No action required.*

No action was required.

**1.C**      [15-0316](#)**File #:** 2015-7028**Location:** Las Palmas townhome development (under construction) behind 660 W. El Camino Real (APNs: 201-40-043 through 078)**Zoning:** C-2/PD**Proposed Project:** Modification to approved **Special Development****Permit #**2012-7170 (mixed use development with 103 townhomes and 145-room hotel) to remove the requirement for a planned pedestrian connection from the Las Palmas townhome development to Cherry Glen Plaza.**Applicant / Owner:** SummerHill 660 W. El Camino Real LLC (applicant) / (owner)**Environmental Review:** Categorically Exempt Class 1**Project Planner:** Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov**NOTE:** *The applicant has requested an indefinite continuance.*

Comm. Klein moved to approve the continuance. 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

**1.D**      [15-0306](#)**File #:** 2015-7048**Location:** 1601 Longspur Avenue (APN: 309-49-017)**Zoning:** R-0 (Low-Density Residential)**Proposed Project:**      Related applications on a 6,634 square-foot site:

**DESIGN REVIEW** for a first-story addition of 551 square feet and new second story of 1,007 square feet to an existing one-story single-family home, resulting in 3,256 square feet (2,820 square feet living area and 436 square feet garage) and 49% floor area ratio.

**Applicant / Owner:** Ali's Construction and Remodeling (applicant) / Bijish Raveendran (owner)

**Environmental Review:** Class 1 Categorical Exemption

**Project Planner:** Timothy Maier, (408) 730-7257,  
tmaier@sunnyvale.ca.gov

Comm. Harrison pulled this item from the consent calendar.

Trudi Ryan, Planning Officer, announced that no presentation on the staff report was prepared as this item was on the Consent Calendar and said that Tim Maier, Assistant Planner, was in attendance to answer any questions.

Comm. Harrison discussed the frequency with which staff approves second story additions that are over the 35 percent second-to-first floor ratio, and discussed nearby homes exceeding this ratio.

Comm. Klein confirmed with Mr. Maier that the applicant did not want to reduce the size of the proposed second story any further, and discussed with staff the features of the proposed home that are factors of the staff plate height recommendation.

Comm. Rheaume confirmed with Ms. Ryan that the proposed second-to-first floor ratio is not a deviation and that the reason this project was brought for review by the Planning Commission is due to the proposed Floor Area Ratio (FAR) being beyond 45 percent.

Comm. Simons and Ms. Ryan further discussed features of homes that may influence a staff decision to allow a second-to-first floor ratio that exceeds the 35 percent guideline, and confirmed that the zoning code does not require the stepping in of the second floor.

Chair Melton opened the public hearing.

Bijish Raveendran, the project applicant, discussed reasons for applying for the Design Review.

Comm. Harrison confirmed with Mr. Raveendran that he and his architect did not look at options for plans with a second-to-first floor ratio at or below 35 percent or an FAR below 45 percent.

Chair Melton closed the public hearing.

Vice Chair Olevson moved Alternative 1 to approve the Design Review with the Conditions in Attachment 4 of the staff report.

Comm. Rheaume seconded.

Vice Chair Olevson thanked the applicant for making an impassioned plea for approval, and said this is a neighborhood well into the transition from all single-story ranch style homes to multiple styles. He said there are very attractive single-family homes on this street and on the neighboring street, that there are numerous homes that have been remodeled to second story and an area of all second story homes not too far away. He said he is persuaded that the design submitted will not have an overpowering look in the neighborhood, and that he can make the findings that this project is compatible with the General Plan and meets the guidelines we are trying to achieve for keeping our neighborhoods vital and constantly upgraded.

Comm. Rheaume said he will be supporting the motion and can make the findings that this project meets all of the basic design principles. He noted that the only reason the project requires Planning Commission review is because it exceeds 45 percent FAR, and said the 35 percent target ratio of second-to-first floor is just a recommendation. He said he was faced with a similar dilemma, and that when you try working in all of the different numbers and percentages sometimes you step back and look at what you have and see that it is not feasible. He said he sees these percentages as guidelines and not facts, which is why they are listed as recommendations, and that what is important is to step back and ask if this is really what we want to build in our neighborhoods. He said he can make the findings that this is a nice design that will add high sill windows on the second floor in the back, that the project meets all the setback requirements, and said the applicant is investing in our community.

Comm. Klein said he will not be supporting the motion and that while he applauds the applicant for working with City staff to come with up a good plan, the mass of the proposed home is a major issue. He said one reason we have guidelines in place is to try to reduce the general bulk of homes built in our neighborhoods, and

that there are several nearby two-story homes with a second-to-first floor area ratio of 37 percent and that if this home was closer to that he feels it would be more applicable to the neighborhood overall. He noted that this home is on a corner lot and not progressively larger than those in the neighborhood and that with a little bit of work the applicant could reduce the second story to be within the City guidelines for single-family homes. He said he applauds the applicant for increasing the setbacks for the second story beyond the minimum requirement, and that he oftentimes sees people who are barely meeting the minimum requirements, but that meeting those minimums does not guarantee approval of a second story that is as big as the applicant wants. He said in general the design looks good but he worries about the massing and how visible it will be on the corner, and that the issue with plate height will make this home seem much taller than nearby homes. He added that he cannot make the findings due to the bulk and that with more work this home could fit well within the community.

Comm. Simons said he understands the various perspectives of the Commissioners on this project, and that he is trying to be consistent with different neighborhood issues and along with what is happening in Sunnyvale. He said this is becoming an Apple neighborhood which means people who want to live close to work are coming in and we will see more changes in the neighborhood, some of which have started and he expects will continue. He said the larger homes in this neighborhood are going to be potentially moderated by the Design Guidelines, and that the trend is not going to be people with growing families living in 1,300 square foot homes. He noted that the original intent for maximum sizes of homes on different lots in Sunnyvale was to allow homeowners to reinvest into their homes and not be forced to purchase a new home. He said he knows the massing of this home is bigger than many homes in this neighborhood, which are predominantly single story, and that there are a handful of older two-story homes that would not fit the Design Guidelines today, but that this one has been moderated. He said he understands what the applicant is trying to do and has spent the time necessary to make a number of changes, and that he would like to see people with growing families who would like to stay in their homes be able to expand them if they are compatible with the neighborhood. He added that this is a neighborhood in transition, that more space is needed and we will be seeing more of these homes, so he will be supporting the motion and can make the findings.

Comm. Harrison said she will not be supporting the motion, and she cannot make finding 2.2.2 that discusses respecting the scale, bulk and character in the adjacent neighborhood, specifically with regard to the second floor to first floor ratio and the ten foot plate heights on the first and second story. She said she also cannot make finding 2.2.3 regarding designing homes to respect the immediate neighbors.

Comm. Durham said he will be supporting the motion, and that although he wishes the plate heights were nine feet each, which would cut the bulk, the roofline will reduce the appearance of the bulkiness. He said that while we do want people to stay in their neighborhoods and invest and upgrade their houses, many of these houses are fairly old and in need of upgrade and people coming in will be pushing the limits. He said that this is going to be a good increase to the housing stock in the area, and he can make the findings for this project.

Chair Melton said he can make the findings and is supporting the motion, and that as long as he has been a Planning Commissioner, the second-to-first story ratio guideline has been a great topic of debate amongst the Commissioners on various projects and is one he holds near and dear to his heart. He said he has voted no on a number of projects along the way because the ratios were out of whack with the neighborhood, and that this does not seem to be the case in this particular instance, which leads him to the conclusion that the findings are made on this project.

MOTION: Vice Chair Olevson moved Alternative 1 to approve the Design Review with the Conditions in Attachment 4 of the staff report.

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

**Yes: 5 -** Chair Melton  
Vice Chair Olevson  
Commissioner Durham  
Commissioner Rheaume  
Commissioner Simons

**No: 2 -** Commissioner Harrison  
Commissioner Klein

### **PUBLIC HEARINGS/GENERAL BUSINESS**

**2**      [15-0321](#)**File #:** 2014-8084**Location:** 1323 Sunnyvale Saratoga Road (APN: 323-10-015)**Applicant / Owner:** Café Stop, ABI Consulting Inc. / DRB Investment**Proposed Project:** Call for Review by the Planning Commission of a decision by the Zoning Administrator approving a **SPECIAL DEVELOPMENT PERMIT** for a new café with additional covered outdoor seating and associated site improvements..**Reason for Permit:** A Special Development Permit is required for the proposed project in the C-1/PD Zoning District.**Project Planner:** Shétal Divatia, (408) 730-7637, sdivatia@sunnyvale.ca.gov**Issues:** Front setback, landscaping, on-site circulation, and conformance with previously approved Special Development Permits (related to parking area).**Recommendation:** Approve the Special Development Permit subject to recommend Conditions of Approval.

Shetal Divatia, Senior Planner, presented the staff report, and noted a correction in the staff report.

Comm. Klein and Trudi Ryan, Planning Officer, discussed issues with the driveway apron and handicap parking stall that were not caught during first review of this project, and Ms. Ryan said this new project is an opportunity to correct those issues. Comm. Klein and Ms. Ryan also discussed the process by which the issue of overflowing garbage would be addressed.

Vice Chair Olevson and Ms. Divatia discussed the lack of shading in the parking lot, and confirmed with Ms. Ryan that this lot was developed for retail use before the 50 percent shading requirement was in place and that this is a legal nonconforming site. Vice Chair Olevson commented on the area available to the public having very little landscaping, and discussed with Ms. Ryan increasing the number of trees on the site. He also confirmed with Ms. Ryan that it is standard to ask for a title report to confirm that the property owner has signed off on the project.

Comm. Simons discussed with Ms. Ryan the possibility of using pervious paving for the lot.

Chair Melton verified with Ms. Ryan that City Council has appeal and call for review options available to review decisions of the Planning Commission. He discussed with staff the consequences of changing Condition of Approval (COA) PS-19(f) to have a non-removable fence, and changing PS-3 to have the applicant move the illegal outdoor storage container. Chair Melton confirmed with Ms. Ryan that AT-1(b) can be removed.



Comm. Klein discussed with Ms. Ryan the site improvements proposed when the business was changed from a flower shop to the restaurant, and discussed with Ms. Divatia the history of bicycle parking on the site. He also discussed potentially doubling the number of bike parking spaces with Ms. Ryan.

Chair Melton opened the public hearing.

Jonathan Miller, the project applicant, said he is available to answer any questions.

Vice Chair Olevson discussed with Mr. Miller potential options to improve the visual appearance of the site with additional landscaping, and options for resolving the noncompliant site issues.

Comm. Rheume stated that he visited the site and the applicant gave him a tour, and discussed with Mr. Miller his plans for restoring the brick of the building to its original color. Comm. Rheume also discussed the lack of landscaping on the site, and confirmed with Mr. Miller that he is amenable to adding planters along the edge of the property facing the direction of the high school.

Comm. Simons confirmed with Mr. Miller that the surface of the parking lot will be repaved and restriped, and discussed further Mr. Miller's plan to sandblast the brick.

Comm. Durham discussed with Mr. Miller whether the wood storage area can potentially overflow and take up a number of parking spaces, and confirmed with Mr. Miller that he is amenable to adding more bicycle parking spaces.

Chair Melton stated that he visited the site and was given a tour by the applicant, and confirmed with Mr. Miller that the old vehicles that were stored on the site have been removed and will not be stored on the streets or parked on the site in the future. Chair Melton also confirmed with Mr. Miller that there is no fence between his property and the adjacent street acting as a driveway to his property.

Comm. Rheume verified with Mr. Miller the amount of seating inside and outside of the proposed restaurant.

Comm. Harrison confirmed with Mr. Miller the purpose of the storage shed next to the Falafel Stop restaurant.

Biljana Simsic, a nearby Sunnyvale resident, discussed her concerns with the

project.

Allen Bertrand, with ABI Consulting, discussed the need for outdoor seating, and Mr. Miller addressed the concerns of the member of the public.

Comm. Klein confirmed with Mr. Miller that there are no standing areas for people to eat and that the counter is for food service only and not seating. Comm. Klein discussed further with Mr. Miller the neighbor's issue with the gate and fence.

Ms. Ryan noted that the plans show that the brick and wall around the seating area are to remain blue, and that what the applicant is describing is removing the paint. Chair Melton confirmed with Mr. Miller that his preference is to return the brick to its natural color.

Chair Melton closed the public hearing.

Comm. Durham discussed with Ms. Ryan the issue of patrons parking offsite on Belfry and additional enforcement measures that would limit the amount of parking on Belfry.

Comm. Klein verified with Ms. Ryan that there are two employee-only parking spaces on the site, and discussed COA BP-15 that would require employees to park onsite. Comm. Klein commented on two designated employee parking spaces being the bare minimum for two simultaneously operating restaurants, and discussed the option of requiring a Parking Management Plan (PMP). Comm. Klein and Ms. Ryan also discussed potentially requiring that the gate be operable only to nearby residents.

Comm. Simons discussed further the option for having the pedestrian gate operated only by residents to gain access to the park, and confirmed that staff is comfortable coordinating the color of the brick with the applicant.

Comm. Simons moved Alternative 2 to approve the Special Development Permit with modifications:

- 1) If the color of the brick is going to be natural it must be in good condition and that the colors of that part of the building are coordinated with staff in the future;
- 2) The parking lot surface will be consistent at the end of the project except for the concrete trash skirt;
- 3) Have a minimum of two marked employee parking spots;
- 4) Remove Condition of Approval AT-1;
- 5) Have a minimum of eight Class I bicycle parking spots for the site; and

6) Have limited access for the Belfry gate via a key or passcode.

Comm. Rheume seconded and offered a friendly amendment to remove the illegal second storage bin. Comm. Simons stated that he is having difficulty with that amendment. Chair Melton noted that the applicant would go through the Miscellaneous Plan Permit process to make it legal. Comm. Rheume withdrew that friendly amendment and offered another amendment to ensure that a PMP is in place.

Comm. Simons accepted.

Comm. Simons thanked Chair Melton for calling this project up for review, and said it has the potential to be improved for the City and the applicant and that the changes will be make the site more usable. He said he has noticed that restaurants with a larger amount of bike parking bring in a whole new crowd to the area, and he thinks that adding bike parking will be a useful thing since there is limited land at this site. He said other issues with this development include parking but that the Parking Management Plan will be extremely useful. He said he thought about stopping in and had to drive around because he could not find parking on the site and ended up parking on the street, and said bike parking and upgrades to the building will be a big improvement.

Ms. Ryan and Comm. Simons corrected the modification to have a minimum of eight Class II bicycle parking spaces, and Ms. Ryan noted that a PMP is already required in COA BP-15.

Comm. Rheume said he appreciates Chair Melton bringing this project up for review to the Planning Commission, and that this is a good plan. He said he had some initial concerns, but that going onsite and seeing what the applicant will do with this part of the property and seeing what he did with the falafel restaurant, he sees a quality building put together there and he has proof that the applicant does quality work. He said he is glad staff recommended the limited access gate and that hopefully it is a good compromise with the neighbors and the applicant so that we will not be cutting off easy walkable space to the parks and schools, especially for the kids. He added that this is a win-win situation for everyone, that he can make the findings and that the project meets the General Plan goals and objectives.

Comm. Klein said his issue with the PMP is that it requires the employees to park onsite, and offered a friendly amendment to allow offsite employee parking.

Comms. Simons and Rheume accepted.

Comm. Klein offered another friendly amendment to have staff review the PMP six months after the opening of the second restaurant.

Comms. Simons and Rheaume accepted.

Comm. Klein said he will be supporting the motion, and that this business is in a key location that is close to the high school and has a lot of traffic going through it. He said the modifications will alleviate some of the issues with the neighbors and deal with the parking problems, and that this plan is better than how it started. He said he looks forward to the applicant refurbishing and refurbishing this dated building which can ultimately become a destination. He said he is hoping the parking issue will improve with the removal of some of the current cars onsite and the PMP trying to deal with where employees will be parking and with the business owner paying attention to how many employees will be working during different shifts. He added that all of these changes will improve the functionality of the new and existing businesses.

Vice Chair Olevson said he will be supporting the motion, and that he is disappointed that we do not have the opportunity to impose more landscaping requirements that would improve the visual appearance of this lot from the neighborhoods. He noted that up and down Sunnyvale-Saratoga Avenue and the north and south passageways through the City landscaping on the center strip has done a great job of improving the entrance into Sunnyvale, and that many homes to the south have additional landscaping in the form of trees and vines. He said the proposed landscaping is minimal and will not enhance Sunnyvale but that recognizing the constraints we have with the existing building and permitting, he will be reluctantly supporting the motion.

Comm. Durham said he will be supporting the motion, that he can make the findings and is glad to see an increase in bicycle parking. He said the gate access is just a little too much because he sees it as a good place allowing people to get to the restaurant in terms of walkability and bikeability and keeps people off of the busy streets of Fremont and Sunnyvale-Saratoga. He said he is unsure about how to get a passkey out to residents of the Nimitz, Zurich, Exeter neighborhoods, and that some people would readily want to go to Belfry to get to the restaurant if it is as good as it is supposed to be. He said overall this is a good plan and thanked the applicant for bringing it forward.

Chair Melton said he will be supporting the motion, and thanked the applicant for coming forth and making a capital improvement to a pretty outdated building. He

congratulated the applicant on the success of the Falafel Stop restaurant and said part of the traffic issues we are seeing is due to that success. He said he is pleased that the PMP will work through that, and he thanked the member of the public for coming out and voicing her concerns and thanked staff and the Zoning Administrator. He noted that this call for review is part of a new process that starts with staff and goes to the Zoning Administrator, and that while no particular reason is required for calling an item up for review, his motivation was that a lot was going on with this project which is on a complicated site. He said he is also pleased with where the project is heading, that he can make the findings and is looking forward to it coming to fruition.

Comm. Simons said the lack of landscaping was an issue to many Commissioners and asked if Vice Chair Olevson had any recommendations, to which Vice Chair Olevson responded that he would like to see greater landscaping in the parking area, including trees for shading. Chair Melton confirmed with Vice Chair Olevson that he is offering a friendly amendment to have the applicant will work with staff to explore opportunities for additional tree landscaping in the parking lot.

Comms. Simons and Rheume accepted.

MOTION: Comm. Simons moved Alternative 2 to approve the Special Development Permit with modifications:

- 1) If the color of the brick is going to be natural it must be in good condition and that the colors of that part of the building are coordinated with staff in the future;
- 2) The parking lot surface will be consistent at the end of the project except for the concrete trash skirt;
- 3) Have a minimum of two marked employee parking spots;
- 4) Remove Condition of Approval AT-1;
- 5) Have a minimum of eight Class II bicycle parking spots for the site;
- 6) Have limited access for the Belfry gate;
- 7) Allow offsite employee parking;
- 8) Review the parking management plan six months after the opening of the second restaurant; and
- 9) Applicant will work with staff to explore opportunities for additional tree landscaping in the parking lot.

Comm. Rheume 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      [15-0305](#)      **File #:** 2014-7985  
**Location:** 1050-1060 Helen Avenue (APNs: 213-35-009, 213-35-010)  
**Zoning:** C-2/ECR (Commercial Highway Business/Precise Plan for El Camino Real)  
**Proposed Project:**      Related applications on a 0.59-acre site:  
                                 **SPECIAL DEVELOPMENT PERMIT:** to construct 7 two-story homes (3 duets and 1 detached home)  
                                 **VESTING TENTATIVE MAP:** to subdivide 2 lots into 8 lots, including 7 ownership lots and one common lot.  
**Applicant / Owner:** Fred Azarm (applicant) / FMA Development LLC, D'Ambrosio Brothers Investments Company (owners)  
**Environmental Review:** Mitigated Negative Declaration  
**Project Planner:** Timothy Maier, (408) 730-7257, tmaier@sunnyvale.ca.gov

Timothy Maier, Assistant Planner, presented the staff report and noted one correction to the Conditions of Approval (COA).

Comm. Klein verified with Mr. Maier which COA had been corrected and the location of the fence referenced in COA PS-1(a). Comm. Klein also discussed with Mr. Maier potentially adding a COA that would require a trellis or other options to reduce the visual impact from lot 4 of the adjacent commercial buildings.

Comm. Simons confirmed with staff the intent of the decorative pavers in COAs BP-11(e) and (f), and confirmed that the appearance of the address 199 N. Sunnyvale Ave. in the report is a mistake. Comm. Simons also confirmed with staff that a COA could be added to require the veneer stone to wrap around the proposed masonry wall until it intersects another plane.

Comm. Durham noted typos on pages 4 and 8 of the staff report, and clarified with Mr. Maier the setback requirements for the proposed homes.

Comm. Harrison discussed with Mr. Maier how the commercial zoning of the property allows for a smaller residential density of the project, and Comm. Harrison commented on this property having the potential to fulfill General Plan policy LT-3.4A. Trudi Ryan, Planning Officer, stated that if the Planning Commission can provide further direction or deny the request if uncomfortable with this property being used for residential or with the proposed density.

Vice Chair Olevson and Mr. Maier discussed the intent of the statement on page 3 of the staff report acknowledging the loss of potential commercial space and whether the use of the R-3 zoning district as a comparison allows the applicant to avoid Below Market Rate (BMR) requirements.

Chair Melton verified with Mr. Maier only one exterior color rendering of the project was provided.

Chair Melton opened the public hearing.

Mehdi Sadri, a representative of FMA Development, LLC and D'Ambrosio Brothers Investments Company, gave a presentation on the proposed project.

Comm. Harrison discussed with Mr. Sadri the cost for which the owners anticipate selling the proposed properties.

Chair Melton closed the public hearing.

MOTION: Comm. Harrison moved Alternative 3 adopt the Mitigated Negative Declaration and deny the Special Development Permit and Tentative Map.

The motion failed for lack of a second.

Comm. Rheume moved Alternative 2 to adopt the Mitigated Negative Declaration and approve the Special Development Permit and Tentative Map with a modified condition to have the applicant work with staff on the color palette.

Comm. Klein seconded and offered a friendly amendment to add PS-1(h) to work with staff to add a trellis, ivy and appropriate landscaping to mask the view of the commercial buildings from lot 4.

Comm. Rheume accepted, and said he can make the findings for the project. He said it brings more housing to the community, that it is a nice, quality design and that seven units is sufficient. He said to just have two long rows of garages looking down the street would not be desirable, and that these two units facing Helen makes it more welcoming and a better transition for the street.

Comm. Klein noted that he was on the Planning Commission in 2007 when this site was initially approved for a mixed use project and that he wishes it went forward. He said he has some reservations regarding the density but that he supports the addition of single family homes, of which we do not see many new ones, and that we normally see larger scale multi-family projects. He said redeveloping two single family homes into seven is a move forward as far as having more residences within the city, but that whether or not the project should be a series of townhomes is a question in his mind. He said redoing this site and the site to the south into a full



mixed use project is the right transition to El Camino Real, but now that the business on the corner of El Camino and Helen is doing much better that possibility is basically out of way. Comm. Klein said this is an improvement in trying to get more density and creating a better fit with the community to the north that has a higher density. He said he still worries about the noise and he is hoping the condition to add large trees around the east, north and south of the site will help deal with some of the noise issues, although he worries about those trees and the number of them achieving the appropriate barrier. He said the trellis will add some visual masking to the businesses to the east and will provide some aesthetic covering until the landscaping is better grown, and that he also worries about the proposed colors being too similar to the two tones of the buildings to the north and hopes staff can deal with the final design. He added that he likes the additions of project, that the design is a good use of the space and the homes are generally a good design for the neighborhood.

Comm. Simons offered a friendly amendment to include the modification for the veneer stone to wrap to a logical depth.

Comms. Rheame and Klein accepted.

Comm. Simons discussed with staff exploring with the applicant choosing a species of tree that would mitigate noise, and discussed the appropriate language to use to in the color palette modification that would indicate that colors should contrast with adjacent buildings and be more lively.

Vice Chair Olevson said he will be supporting the motion, and can make the findings in the strange way we are approaching this project by choosing the zoning on the fly. He said we are not a policy-making group, and he hopes that if the City Council reviews this session they give thought to how we choose zoning when it is not clear cut for our purposes and for applicants. He said this is a well thought out project, that over the course of the last several weeks the owners of this property have made several attempts to make a useful project and that it appears that this one should be very successful.

Comm. Harrison said she will not be supporting the motion, not because she does not appreciate the applicant's journey and the actual product and size of the site, but because it does not meet the General Plan with regard to locating higher density housing near transportation corridors, employment and commercial services.

Comm. Durham said he will be supporting the motion, and that while he would like

to see a slightly greater density in this place he cannot imagine putting another townhouse type unit in here. He said just having two walls of garages would get two other buildings and that we are going from two houses to seven which is a 250 percent increase. He said that if the site remains commercial we end up losing housing, and that this is a quality product that is slightly different than what we normally see, it being two stories instead of three.

Chair Melton said he will be supporting the motion and can make the findings. He said this is a good project and he looks forward to it coming to fruition.

FINAL MOTION: Comm. Rheume moved Alternative 2 to adopt the Mitigated Negative Declaration and approve the Special Development Permit and Tentative Map with modified conditions:

- 1) Colors proposed for the exteriors of buildings must be modified to introduce additional hues and/or greater contrast, resulting in a lively appearance; applicant shall coordinate with City staff to determine a suitable color palette, subject to review and approval by the Director of Community Development;
- 2) Include a trellis, landscaping, and/or similar feature(s) for the purpose of preventing visibility of adjacent commercial buildings from proposed Lot 4;
- 3) Any wainscoting to be placed on any building facade wrap a minimum of four feet around any facade not facing a public street or drive aisle, or wrap to a natural termination point such as a fence, gate, or similar structure or feature; and
- 4) Landscaping plans must be modified such that evergreen (non-deciduous) trees which generate minimal sound when disturbed by wind and which maintain canopies of thick foliage year-round, providing assistance with mitigation of noise impacts, be placed on the northerly, southerly, and easterly portions of the property's perimeter.

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

**Yes:** 6 - Chair Melton  
Vice Chair Olevson  
Commissioner Durham  
Commissioner Klein  
Commissioner Rheume  
Commissioner Simons

**No:** 1 - Commissioner Harrison

- 4      [15-0208](#)      Design Guidelines for mixed-use projects, known as the Toolkit for Mixed-use Developments; Find that the project is exempt under CEQA pursuant to Guidelines 15060(3) and 15378(b)(5) (Study Issue)  
**Project Planner:** Andrew Miner, (408) 730-7707, [aminer@sunnyvale.ca.gov](mailto:aminer@sunnyvale.ca.gov)

Comm. Durham handed out an information only document for this item.

Andrew Miner, Principal Planner, presented the staff report.

Comm. Simons discussed with staff adding a reference section to the Santa Clara Valley Transportation Authority (VTA) pedestrian and bicycle design guidelines.

Comm. Klein discussed with staff the reasoning behind the recommendation to have up to 15 percent of the building facade stepped back beyond the setback, and discussed having a loading zone for residential. Comm. Klein suggested having varied building heights when the length of the side of a building exceeds a certain limit, and discussed with Mr. Miner strengthening the language that recommends constructing electric charging stations.

Comm. Harrison and Mr. Miner discussed the inclusion of pocket parks in the toolkit, and clarified with staff the parking requirement.

Vice Chair Olevson confirmed with Mr. Miner that the staff report is not intending to use the Sierra Club's guidelines as City policy. Mr. Miner added that City staff wrote the guidelines and the Sierra Club's guidelines are for reference only.

Comm. Rheume suggested articulating further in the guidelines directions about obtaining an organic look by recommending using different window types, colors, styles and sizes, and different rooflines.

Comm. Durham discussed the handout he provided and suggested including in the guidelines regarding separation of uses and staggered delivery times to be off commute hours and limiting the size of vehicles. He also suggested adding language to ensure bicycle parking is installed correctly and in thoughtful locations. Mr. Miner added that these issues are part of Citywide policy.

Comm. Klein discussed with Mr. Miner specifically noting an option for vertical bike racks along the walls in the guidelines.

Trudi Ryan, Planning Officer, suggested including under the resources section a list of additional resources such as the VTA guidelines and Citywide guidelines that

discuss some of the features commented on by the Commissioners.

Chair Melton opened the public hearing and upon seeing no speakers for this item, closed the public hearing.

Comm. Klein moved Alternatives:

- 1) Find that the project is exempt from CEQA pursuant to CEQA Guidelines 15060(3) and 15378(b)(5); and
- 2) Approve the Toolkit for Mixed-use Developments (Attachment 2) for mixed-use projects in all zoning districts with recommendations discussed.

Comm. Simons seconded.

Comm. Klein thanked Mr. Miner for his hard work writing the toolkit, and said he knows the need and desire for mixed use is a high goal for the City moving forward, and for most cities it is a placard placed upon all developments as something to strive for. He said the toolkit puts some of the guidelines in place that help developers understand the give and take and what they should be looking for when designing projects, and that too often they are told to go build projects and can potentially come up with a plan that is unusable and does not take into consideration all of the requirements of mixed use projects. He said what staff has done is try to put the guidelines in place to define the things that should be considered and the trade-offs that need to be made. He added that he thinks this is a good step forward for future, well designed mixed use projects, and makes it easier for staff to work with developers and easier for the Planning Commission and City Council to give feedback when looking at projects.

Comm. Simons verified with Mr. Miner that the motion includes the Commissioners' comments, and said adding in extra references for different specific guidelines will make it more of a one-stop product for mixed use for business and developers, and he sees it as a beginning in helping Sunnyvale continue to develop more intelligently with more integrated projects in the future.

Chair Melton said he will be supporting the motion, and appreciates staff for a job well done on this document, which will be a tremendous value to the City, applicants, staff, the Zoning Administrator, Planning Commission and City Council.

MOTION: Comm. Klein moved Alternatives:

- 1) Find that the project is exempt from CEQA pursuant to CEQA Guidelines 15060(3) and 15378(b)(5); and
- 2) Approve the Toolkit for Mixed-use Developments (Attachment 2) for mixed-use

projects in all zoning districts with the following recommendations:

- a) Add a reference section to VTA pedestrian and bicycle design guidelines;
- b) Clarify guidelines relating to building heights for longer buildings, amount of building facade setback, loading areas and pocket park reference.

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**

**5**      [15-0331](#)      **Standing Item:** Potential Study Issues for 2016

None.

#### **NON-AGENDA ITEMS AND COMMENTS**

##### **-Commissioner Comments**

None.

##### **-Staff Comments**

Ms. Ryan discussed Planning related City Council items, and announced the proposal for creation of a Community Advisory Committee for the update to the Precise Plan for El Camino Real and that staff will be looking for representatives from the various Commissions to serve on that Committee. Ms. Ryan also noted that staff has received an appeal of the recently heard Design Review on Lois Avenue.

#### **INFORMATION ONLY ITEMS**

None.

#### **ADJOURNMENT**

With no further business Chair Melton adjourned the Planning Commission meeting at 11:51 p.m.

