



City of Sunnyvale

Meeting Minutes

Planning Commission

Monday, February 8, 2016

7:30 PM

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

7:30 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM

[16-0174](#)

Training on due process

Contact: Rebecca Moon, Senior Assistant City Attorney

Public Comment on Study Session Agenda Items

Comments from the Chair

Adjourn Study Session

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

CALL TO ORDER

Chair Melton called the meeting to order.

SALUTE TO THE FLAG

Chair Melton led the salute to the flag.

ROLL CALL

Present: 6 - Chair Russell Melton
Vice Chair Sue Harrison
Commissioner Ken Olevson
Commissioner Ken Rheaume
Commissioner David Simons
Commissioner Carol Weiss
Absent: 1 - Commissioner Larry Klein

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

- 1.A.** [16-0156](#) Draft Minutes of the Planning Commission Meeting of January 25, 2016

Chair Melton motioned to continue the Draft Minutes of the Planning Commission Meeting of January 25, 2016.

Motion carried by the following vote:

Yes: 6 - Chair Melton
 Vice Chair Harrison
 Commissioner Olevson
 Commissioner Rheaume
 Commissioner Simons
 Commissioner Weiss

No: 0

Absent: 1 - Commissioner Klein

- 1.B.** [16-0160](#) **File #:** 2015-7881
Location: 1616 S. Mary Avenue (APNs: 323-20-020)
Applicant / Owner: Jeff Kamradt (applicant) / (owner)
Proposed Project:
 Appeal of decision by the Community Development Director denying a
 Tree Removal Permit for an Oak tree on left hand side of the house, inside the gate.
Reason for Permit: A Tree Removal Permit is required to remove a protected tree.
Project Planner: Jonathan Caldito, (408) 730-7452, Jcaldito@sunnyvale.ca.gov
Issues: Tree Health and Location

RECOMMENDATION

Comm. Simons moved to approve the applicant's withdrawal of this item. Vice Chair Harrison seconded.

Yes: 6 - Chair Melton
 Vice Chair Harrison
 Commissioner Olevson
 Commissioner Rheaume
 Commissioner Simons
 Commissioner Weiss

No: 0

Absent: 1 - Commissioner Klein

PUBLIC HEARINGS/GENERAL BUSINESS

2. [16-0157](#) **File #:** 2015-7106
 Location: 1111 Lockheed Martin Way (APNs: 110-01-038 and 110-01-036)
 Zoning: Moffett Park Transit Oriented Development (MP-TOD)
 Proposed Project: PUBLIC COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) to demolish the existing buildings onsite and develop approximately 1.65 million square feet of office in a campus development over 47.4 acres.
 Project Planner: Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov

Mr. Miner noted that this item is to take any comments regarding the Draft Environmental Impact Report and action is not required by the Commission.

Chair Melton commented regarding Figure 3-7 of the project description, to modify item 10 of the Project Objective 3.3 to state “Develop a project of sufficient intensity to support the proposed project amenities with such amenities are shown on Figure 3-8 of the Draft Environmental Impact Report.” He then commented for the applicant to take the opportunity to revisit the proposed amenities and see if the author wants to add any further measures such as a shuttle bus. He also suggested to list the amenities in a tabular format instead of a paragraph format.

Comm. Olevson noted the end of section 2.1 regarding the Development Agreement, that the Final Environmental Impact should clarify if the contribution to public safety for the three public safety officers is a one time payment or annual event.

3. [16-0026](#) **File #:** 2015-7539
 Location: 845 W. Maude Ave. (APN: 165-41-001)
 Zoning: M-S
 Proposed Project: Consideration of an application for a 1.66-acre site:
 Use Permit to allow construction of a 39,233 square foot four-story office/R&D building resulting in approximately 55% Floor Area Ratio (FAR)
 Applicant / Owner: Peery-Arrillaga / Wizardly Holdings LLC
 Environmental Review: Mitigated Negative Declaration
 Project Planner: Noren Caliva-Lepe, (408) 730-7659, ncaliva-lepe@sunnyvale.ca.gov

Noren Caliva-Lepe, Project Planner, presented the staff report.

Vice Chair Harrison asked staff how this proposal relates to the proposed Peery Park Specific Plan. Ms. Caliva-Lepe noted the project is in line with the current draft goals.

Comm. Olevson asked for clarification on page three of the report, regarding an “innovative edge.” Ms. Caliva-Lepe discussed the draft Peery Park Specific Plan sub districts. Mr. Miner noted that the Peery Park Specific Plan has not been approved and the Commission should make their decision based on current codes. Comm. Olevson then asked how this proposal meets the current municipal code. Ms. Caliva-Lepe responded that the project complies with the development standards with no deviations. Comm. Olevson asked if the proposal meets storm water management standards, and Ms. Caliva-Lepe said that it does comply.

Comm. Simons asked staff to clarify the glass and railing on the top edge of the building. Ms. Caliva-Lepe clarified the elevation on A1 4A of the report shows the left side is flat and the right elevation where the terrace is located is set back with a railing, noting sheet A1 4B. Comm. Simons asked about the future Transportation Demand Management (TDM) trip reduction goals for the Peery Park Specific Plan (PPSP). Ms. Caliva-Lepe noted that the PPSP trip reduction goals have not been adopted but will likely range depending on the size of buildings. Ms. Caliva-Lepe noted that this building is relatively smaller than other recently-constructed buildings in the PPSP.

Comm. Simons asked about a road project within Peery Park on Mary Avenue regarding the lack of funds. Mr. Miner said that this is a question for Public Works. Comm. Simons discussed the importance of multi modal transportation in the Peery Park District. Mr. Miner noted that the PPSP includes the implementation of a TDM Plan and other transportation measures. Ms. Caliva-Lepe said that traffic for this project was analyzed in the Mitigated Negative Declaration.

Comm. Rheume discussed the parcel and the sidewalks. He asked if the building connects to the adjacent properties. Ms. Caliva-Lepe said that this is a design issue that the applicant is working with Public Works, and noted that the sidewalks will transition to the adjacent sidewalks. Comm. Rheume asked if landscaping is will be included to the parking garage roof deck or only the basketball court and hardscape., and Ms. Caliva-Lepe explained the plan currently does not include trees on the deck.

Comm. Weiss asked how many of the eight projects shown in the table on page

four are platinum, silver, or gold. Ms. Caliva-Lepe said that at least seven are designated Gold. Comm. Weiss then asked if the Housing Mitigation Fee, where the application was submitted in 2015, if the newer fee was approved in September, why was the project charged for the older fees. Ms. Caliva-Lepe clarified that the application was submitted in July of 2015, and the December date refers to the plan set revision date.

Chair Melton asked for clarification regarding the zoning tools noted on page 12 of the staff report. Ms. Caliva-Lepe noted that option one allows up to 45% FAR with LEED Gold certification, but this project is for 55% FAR, which requires approval of the Use Permit by the City Council. Ms. Caliva-Lepe said the applicant's Green Building Checklist shows that they could at least achieve the LEED Gold certification with a possibility of a Platinum level. Chair Melton asked how many parking spaces are on the site and how many are proposed. Ms. Caliva-Lepe noted Attachment 2 of the report, stating there are currently 118 parking spaces and the applicant is proposing 144 parking spaces. Chair Melton then asked, noting that the existing building is roughly 20,000 square feet and the applicant is proposing a 40,000 square foot building, if the existing development has too many parking spaces. Ms. Caliva-Lepe noted that there was no maximum limit for parking spaces in the past, but there are now minimum and maximum limits in the code. Mr. Miner noted that there are also TDM traffic reductions, which reduce parking on site as well. Chair Melton then asked about peak hour trips in the Mitigated Negative Declaration on Page 15 of 36 of Attachment 5 regarding traffic, and asked if the Traffic Division has information on the current and proposed trips to the site. Ms. Caliva-Lepe responded that she does not have that information readily available, and if the information is needed for the Commission to make a decision, then they could include it in the Report to Council. Mr. Miner noted that there are fewer than 100 trips. Chair Melton reiterated his concern for traffic.

Comm. Olevson asked staff about PS 1 and Ms. Caliva-Lepe clarified that the final exterior building materials and colors would be reviewed by the Director of Community Development, and not the Planning Commission. Comm. Olevson agreed.

Chair Melton opened the public hearing.

Huiwen Hsiao, architect for Peery Arrillaga, presented the proposal. He noted that the color, material, and linkage to the garage was brought up during the study session and noted that they have been addressed in the proposal.

Vice Chair Harrison asked if the top of the parking garage is permeable or storm

water retentive and clarified that it is a basketball court. Eric Easterly from Sandis Engineers replied that the water from the top of the garage would be stored at a retention area below the garage.

Vice Chair Harrison also asked if the proposal for five electric car stations are expandable to add more in the future. Mr. Hsiao said that it is possible if the demand is needed. She then asked about the paving material in the pedestrian access ways. Mr. Hsiao clarified the areas that include pedestrian and noted A1.5 of the site plans. He said that most of the pedestrian areas of the project site have permeable blocks. Vice Chair Harrison asked if they are okay with adding the ability to open the pedestrian access between their buildings if the tenants chooses to in the future. Mr. Hsiao said that it is possible and discussed the grading and pedestrian linkages.

Comm. Rheume stated his appreciation with the project design with curved buildings. He asked about the colors of the adjacent buildings in relation to the project site. Mr. Hsiao noted that the proposed building will have the same blue color as the other two. He then asked about plan A1.5, and asked what is between the two properties. Mr. Hsiao said there are shrubs and a grade difference.

Comm. Weiss noted she likes the lines and facades of the buildings. She noted that the proposal is considered a green building, and what other aspects are included in the plans to save water. Mr. Hsiao noted the green building checklist shows water conservation savings in the landscape plan. She then noted the diagram on A2.1, asking about the loading area. Mr. Hsiao said that the loading area is required in the building code. Comm. Weiss noted that she prefers the loading area in the rear of the building. She asked if they could at least try to reach a platinum level in the green building checklist. Mr. Hsiao replied that he would work with the developer on this option.

Comm. Simons asked if it was a problem to add a condition of approval that addresses the locations of the pavers. Amy Taylor from Sandis Engineers said the developer chose to use permeable pavers. Comm. Simons then asked about the bike lockers, saying that there are six bicycle lockers in the proposal and mentioned that 12 bicycle lockers would be more appropriate. Mr. Hsiao noted that they will install six more bicycle lockers in the garage. Comm. Simons then discussed LEED certification and if they were aware of the costs related to reaching platinum certification. Mr. Hsiao noted that energy efficiency is the main difference, and said that the tenants have their own tenant improvement designs, noting mechanical systems.

Chair Melton closed the public hearing.

Chair Melton asked staff regarding alternative two on page 12 of the staff report addressing Floor Area Ratios over 35%, that he has only seen this alternative for projects within Peery Park, in which activates the checklist. He asked if the proposed Peery Park Specific Plan will eliminate this alternative once the Specific Plan gets approved. Mr. Miner said that this requirement has been in place before the green building checklist. He noted that this affects all M-S (Industrial and Service) properties. He then said that Peery Park will have its own zoning and will address project FAR.

Comm. Olevson moved Alternative 2; to Recommend to the City Council to adopt the Mitigated Negative Declaration and approve the Use Permit with modified Conditions of Approval: Modify PS-1 to allow review and approval of the final exterior building materials and colors by the Director of Community Development (instead of Planning Commission). Comm. Rheume seconded.

Comm. Olevson said he likes the design, noting the cohesion of the buildings on that street. He said that he recommends approval to the City Council as he could make the findings to the General Plan, is compatible with the neighborhood, and noted that the proposal is in compatibility with the California Environmental Quality Act and the community character. He noted that he will be voting for the project.

Comm. Rheume said that he will support the motion. He noted the quality of the design, noting the curves of the buildings instead of the typical rectangular office buildings. He noted that the sidewalk design to accommodate the existing redwood trees should set an example to future projects. He could make the findings that it is in line with the General Plan policies and goals.

Vice Chair Harrison asked for friendly amendments; to require more parking spaces to be pre-wired for electric car chargers (instead of the five minimum required by the Sunnyvale Municipal Code), to incorporate an additional decorative pedestrian walkway between the easterly parking structure access and the office building, to require at least 12 bicycle lockers (instead of the six bicycle lockers minimum required by the Sunnyvale Municipal Code), to explore the option of pedestrian cross-access between the subject property and two adjacent properties (acknowledging that the feasibility of this requirement will depend on the future tenant of the subject building and possible site modifications to accommodate the access). Comm. Olevson and Comm. Rheume agreed. She noted her support to the motion.

Comm. Simons asked for a friendly amendment to add a condition to ensure all surface driveways and drive aisles are made of impervious pavers (as shown on the site plan) and a 10% increase in the Transportation Demand Management (TDM) requirements. Comm. Olevson noted his agreement to the additional condition requiring impervious pavers to all surface driveways and drive aisles but not the latter amendment regarding the 10% TDM increase, as he is not able to extrapolate the impact. Comm. Rheume agreed. Friendly amendment failed.

Comm. Simons said that he will not support the motion, noting transportation issues. He said that the project and the entire Peery Park District should have a higher TDM Plan. He discussed issues with TDM in relation to the Peery Park District. He recommends to the City Council to reject the application.

Comm. Weiss said that she will be voting in favor of the approval of the project as she could make the findings. She noted General Conditions of Approval GC-9, that the new building achieves a minimum LEED Gold level for Core and Shell, with efforts to achieve Platinum level. She said that she also agrees with the friendly amendment to require a minimum of 12 bicycle lockers.

Chair Melton said that he will be voting in favor of the motion, as he said he could make the findings and noted the design quality and that there are no Variances. He noted that he wishes that the applicant acquired the extra 20% FAR by being more environmentally friendly. He asked staff to clarify to the City Council how is the project doubling the building area on site but there is not a doubling of traffic trips assumed by traffic results.

FINAL MOTION:

Comm. Olevson motioned Alternative 2; to recommend to the City Council to adopt the Mitigated Negative Declaration and approve the Use Permit with modified Conditions of Approval:

- 1) Modify PS 1 to allow review and approval of the final exterior building materials and colors by the Director of Community Development (instead of Planning Commission);
- 2) Add PS 2.a) to require more than five parking spaces to be pre-wired for electric car chargers (instead of the five minimum required by the Sunnyvale Municipal Code);
- 3) Add PS 2.b to incorporate an additional decorative pedestrian walkway between the easterly parking structure access and the office building;
- 4) Add PS 2.c to require at least 12 bicycle lockers (instead of the six bicycle lockers minimum required by the Sunnyvale Municipal Code);

5) Add PS 2.d to explore the option of pedestrian cross access between the subject property and two adjacent properties (acknowledging that the feasibility of this requirement will depend on the future tenant of the subject building and possible site modifications to accommodate the access); and,

6) Add PS 2.e to ensure all surface driveways and drive aisles are made of impervious pavers (as shown on the site plan).

Comm. Rheume seconded.

Motion carried by the following vote:

Yes: 5 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Rheume
Commissioner Weiss

No: 1 - Commissioner Simons

Absent: 1 - Commissioner Klein

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

None.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

None.

-Staff Comments

Mr. Miner noted the special Planning Commission on March 21, 2016 to balance the upcoming Planning application.

Mr. Miner noted the Community Development Department study issues that were ranked by City Council.

INFORMATION ONLY ITEMS

ADJOURNMENT

Chair Melton adjourned the meeting at 9:28 p.m.