



City of Sunnyvale

Meeting Minutes - Final City Council

Tuesday, December 6, 2016

5:00 PM

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

Special Meetings: Study Sessions-5 PM | Regular Meeting-7 PM

5 P.M. SPECIAL COUNCIL MEETING (Study Session)

1 Call to Order in the West Conference Room (Open to the Public)

Vice Mayor Larsson called the meeting to order at 5:02 p.m.

2 Roll Call

Present: 6 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Tara Martin-Milius
Councilmember Jim Davis
Councilmember Larry Klein
Absent: 1 - Councilmember Pat Meyering

Also present:

Councilmember-Elect Russ Melton
Councilmember-Elect Nancy Smith
Councilmember-Elect Michael Goldman

3 Public Comment

4 Study Session

[16-0549](#) Pension Trust Fund

[16-0962](#) Discussion of Council 2016 Intergovernmental Relations
Assignments

[16-0520](#) Discussion of Upcoming Selection of Mayor for 2017-2018
and Vice Mayor for 2017

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the meeting at 6:26 p.m.

7 P.M. COUNCIL MEETING**CALL TO ORDER**

Mayor Hendricks called the meeting to order in Council Chambers.

SALUTE TO THE FLAG

Mayor Hendricks led the salute to the flag.

ROLL CALL

Present: 6 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Tara Martin-Milius
Councilmember Jim Davis
Councilmember Larry Klein
Absent: 1 - Councilmember Pat Meyering

ORAL COMMUNICATIONS

John Simontacchi, Sunnyvale Employees Association, spoke regarding issues with retention of staff at the Water Pollution Control Plant.

Jim Quaderer, SNAIL Neighborhood, spoke regarding loss of television reception near North Mathilda and requested a study issue for 2017, and provided a PowerPoint presentation.

Ken Kunishige, SNAIL Neighborhood, spoke regarding loss of television reception near North Mathilda and urged a study issue to study the over-the-air reception.

John Cordes, Bicycle and Pedestrian Advisory Commission member speaking for himself, spoke regarding loss of television signal due to tall buildings, requested a 2017 study issue in order to create a policy, and requested that impacted homeowners be compensated for the loss of television reception.

CONSENT CALENDAR

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the Consent Calendar.

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

Absent: 1 - Councilmember Meyering

1.A [16-0647](#) Approve City Council Meeting Minutes of November 15, 2016

Approve the City Council Meeting Minutes of November 15, 2016 as submitted.

1.B [16-1019](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

Approve the list(s) of claims and bills.

1.C [16-0972](#) Adopt a Resolution Adopting the Complete Streets Policy to
Comply with the Metropolitan Transportation Commission
Requirement for the One Bay Area Grant Program

Adopt a resolution adopting the complete streets policy to comply with the
Metropolitan Transportation Commission requirement for the One Bay Area Grant
Program.

1.D [16-1011](#) Award of Contract for Design and Construction Support
Services for the Lawrence Expressway Sanitary Sewer
Rehabilitation Initial Project (F17-036)

Award a design contract, in substantially the same format as Attachment 1 to the
report in an amount not to exceed \$273,256 to Water Works Engineers, LLC for the
subject project, and authorize the City Manager to execute the contract when all the
necessary conditions have been met; and approve a 10% design contingency in
the amount of \$27,326.

1.E [16-1037](#) Award of Contract for a Constituent Relationship Management
System (F16-106)

1) Award a contract in the amount of \$202,400 to Adoxio Business Solutions to
implement a comprehensive Constituent Relationship Management (CRM) System,
in substantially the same form as Attachment 1 to the report; and 2) approve a 10%
contract contingency in the amount of \$20,240.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [16-1108](#) Related actions on the Lawrence Station Area Plan and Environmental Impact Report (2013-7653)

Planning Officer Andy Miner provided the staff report and stated copies of the revised ordinance are available on the dais and in the Council Chambers for the public. Director of Community Development Trudi Ryan provided additional information.

Public Hearing opened at 8:09 p.m.

Larry Yamaoka, co-owner of three parcels in Sub Area 5 near the parcel along Lawrence Expressway, requested Council consider directing staff to further investigate the possibility of residential use for those properties.

Don Tran, Health and Community Development Policy Associate, Silicon Valley Leadership Group, commended strong housing goals, expressed support for the density based incentive package and a balanced job/housing ratio. Tran recommended the balance gaps be evaluated annually.

Holly Lofgren requested the office space not be increased, that heights of buildings be limited to five stories, that the plan only be approved when the plan to improve Lawrence Expressway has been finalized and the access roads have been planned, to designate a high percentage of affordable housing, to increase the housing by only the 2,323 units, and handle the local neighborhood impacts to protect local homeowners.

Brennan Robbins commended the plan and recommended revision of the plan to include more housing similar to Alternative 2, and the establishment of a total below market rate goal.

John Cordes, Bicycle and Pedestrian Advisory Commission member speaking for himself, spoke in support of the interim development caps, recommended more residential potential, encouraged more smaller units particularly around the transit center, encouraged consideration of a transit commission as a study issue, and spoke in support of rezoning more of the residences at the west end of Kifer.

Paul DuMontelle expressed concerns regarding the definition of noise using average decibels and requested also looking at the maximum noise allowance.

Adina Levin, Friends of Caltrain, spoke in support of the thoughtful development of

the plan to include biking and walking, enriched housing and a greater jobs/housing balance. Levin recommended an innovative bike plan in partnership with Santa Clara.

Ray Crump spoke in support of the Lawrence Station Area Plan.

Dave Jones, Bicycle and Pedestrian Advisory Commission member speaking for himself, spoke in support of the comments made by John Cordes, Adina Levin and Don Tran, and stated when grade separation is done, additional spaces will be needed for ground water retrieval.

Gary Bailey spoke regarding the need for a jobs/housing balance near Caltrain.

Nancy Wallace and Matt Morey, Peninsula Building Materials and Calstone, spoke in support of the plan and the flexibility of the mixed use considerations.

Public Hearing closed at 8:36 p.m.

MOTION: Councilmember Griffith moved and Councilmember Klein seconded the motion to approve Alternatives 1 and 2:

1) Adopt a Resolution (Attachment 4 of the report) to:

- a. Certify the EIR; Make the Findings Required by the California Environmental Quality Act; and Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;
- b. Adopt the Water Supply Assessment;
- c. Make the findings and amend the General Plan to Create the Lawrence Station Area Plan General Plan Designation and Update the General Plan Map to Reflect the Lawrence Station Plan Area;
- d. Adopt the Lawrence Station Area Plan, with Modifications (Attachment 7 of the report);
- e. Adopt the Lawrence Station Area Plan Incentives and Development Cap Administrative Regulations; and

2. Introduce an ordinance (Attachment 5 of the report) to:

- a. Add Chapter 19.35 (Lawrence Station Area Plan District) to Title 19 (Zoning) to the Sunnyvale Municipal Code;
- b. Make the findings and Amend the Precise Zoning Plan Zoning Districts Map to add the Lawrence Station Area Plan District and Rezone the Parcels in the Lawrence Station Area Plan Area to Lawrence Station Area Plan (LSAP) District;
- c. Make the findings and Amend Sunnyvale Municipal Code Table 19.54.080 (Telecommunications Facilities Permits), Section 19.16.020 (Zoning Districts Creation); and Section 19.90.010 (Special Development Permits) to Implement the

Lawrence Station Area Specific Plan;
And direct staff to explore options for increasing the housing component at a later date.

Mayor Hendricks confirmed that the motion includes introduction of the revised ordinance provided at the meeting.

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

Absent: 1 - Councilmember Meyering

- 3** [16-1055](#) Adopt an Urgency Interim Ordinance and Introduce an Ordinance to Amend Title 19 (Zoning) and Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code related to Senate Bill 1069 and Assembly Bill 2299 Amending the Government Code Related to Accessory Dwelling Units, and Find that the Action is Exempt from CEQA

Principal Planner Amber Blizinski provided the staff report. City Attorney John Nagel provided additional information.

Public Hearing opened at 9:03 p.m.

No speakers.

Public Hearing closed at 9:03 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Griffith seconded the motion to approve Alternatives 1 and 2: Adopt an Urgency Interim Ordinance to Amend Title 19 (Zoning) and Section 10.26.050 of the Sunnyvale Municipal Code to ensure consistency with Senate Bill 1069 and Assembly Bill 2299; and Introduce an Ordinance to Amend Title 19 (Zoning) and Section 10.26.050 of the Sunnyvale Municipal Code to ensure consistency with Senate Bill 1069 and Assembly Bill 2299.

City Clerk Kathleen Franco Simmons read the ordinance titles.

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

Absent: 1 - Councilmember Meyering

Council recessed at 9:11 pm.

Council reconvened at 9:21 p.m. with Councilmember Meyering absent.

- 4 [16-1091](#) Proposed Project: REZONE: Introduction of an Ordinance to rezone 62 contiguous lots (61 single-family homes and a private swim club) from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single Story Combining District)
File #: 2016-7489
Location: Multiple properties bound by Hollenbeck Avenue on the west, Torrington Drive on the south, Spinosa Drive on the east and Sheraton Drive on the north and including Tiffany Court, Templeton Court and South Sage Court.
613-699 Torrington Drive (Assessor Parcel Numbers 202-09-001 through 202-09-017), 1160-1158 Hollenbeck Avenue (202-09-018 through 202-09-019), 696 Sheraton Drive (202-09-020), 674-683 Tiffany Court (202-09-021 through 202-09-026), 1130 -1150 Royal Ann Drive (202-09-027 through 202-09-032), 1127-1145 S. Sage Ct. (202-09-033 through 209-02-042), 602-654 Sheraton Drive (202-09-042 through 202-09-050) and 604-633 Templeton Court (202-09-051 through 202-09-062).
Zoning: R-1
Applicant /Owner: Erik Peterson (plus multiple owners)
Environmental Review: The ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alterations in land use) and

Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Mayor Hendricks disclosed he grew up in an Eichler, lives in an Eichler in a single-story overlay and the home he grew up in is in the proposed singly-story overlay, but stated he has no financial interest in that property.

Director of Community Development Trudi Ryan provided the staff report. City Attorney John Nagel and Planning Officer Andy Miner provided additional information.

Applicant Erik Peterson provided information about the application and a PowerPoint Presentation, requested approval of the application as submitted, and recommended Alternatives 1 and 2.

Public Hearing opened at 9:41 p.m.

Hewlett Melton spoke in support of the single-story combining district and Alternatives 1 and 2.

Peter Anning spoke in support of Alternatives 1 and 2.

Laurie Ferioli, representing her parents, spoke regarding the community and urged Council not to change the zoning.

Tristan Laurence spoke in support of Alternatives 1 and 2.

Mark Schertler, President of the Fairbrae Raquet and Swim Club, requested not to be part of the rezone request, and recommended Alternatives 1 and 3. Schertler stated Alternative 5 sounded like a potential alternative, but they would like more information.

Roger Teter spoke in support of Alternatives 2 and 4 and recommended a 75 foot buffer zone.

David Venables spoke in support of the single-story overlay and urged approval of the request as submitted.

Mei-Ling Stefan spoke in support of the single-story overlay.

Adam Stephenson spoke in support of the application and urged approval of Alternatives 1 and 2.

Shian Lee provided information about his home and the unfeasibility of building below grade due to mature redwood trees on his property, and spoke in opposition to the rezone.

Walter Huber spoke in support of Alternative 2 and in opposition to Alternative 5, and requested that if Alternative 5 is selected, to remove his property from the application.

Gabriela Zuniga requested that if the three properties are excluded, to remove her property from the single-story combining district and allow it to remain R-1.

Andrea Georgelos spoke in opposition to the single-story combining district application and requested that if Alternatives 3, 4, or 5 pass, that her property be removed from the single-story combining district and remain R-1, and if there has to be a single-story combining district, it be in the original petition.

Scott McIntosh recommended the single-story combining district to include all 62 properties. McIntosh stated his home is two feet lower than the adjoining property and recommended a 75 foot minimum buffer zone.

Ralph Grundler spoke in support of the single-story combining district and provided comments regarding the process. Grundler urged support of Alternatives 1 and 2.

Philippe Cailloux spoke in support of the application as initially submitted and recommended a pre-application approval process.

Applicant Erik Peterson spoke in opposition to the staff recommendation and requested approval of Alternatives 1 and 2.

Public Hearing closed at 10:29 p.m.

MOTION: Councilmember Davis moved and Councilmember Martin-Milius seconded the motion to approve Alternatives 1 and 2: 1) Find the project exempt from CEQA pursuant to CEQA Guidelines Sections 15305 and 15061 (b)(3), and 2) Find that the zoning amendment (rezoning) is deemed to be in the public interest and introduce an ordinance (as set forth in Attachment 6) to rezone 62 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density

Residential/Single-Story) pursuant to the Applicant's proposal.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion failed by the following vote:

Yes: 2 - Councilmember Martin-Milius
Councilmember Davis

No: 4 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein

Absent: 1 - Councilmember Meyering

MOTION: Councilmember Klein moved and Vice Mayor Larsson seconded the motion to approve Alternatives 1 and 4: 1) Find the project exempt from CEQA pursuant to CEQA Guidelines Sections 15305 and 15061 (b)(3), and 4) Find that the zoning amendment (rezoning) is deemed to be in the public interest and introduce an ordinance (as set forth in Attachment 7) to rezone 59 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story); direct to staff to prepare a zoning code amendment regarding split zoning; and, create an R-1/S buffer of a specified width on 1160 and 1158 Hollenbeck Avenue and 696 Sheraton Drive that would be effective after the zoning code amendment regarding split zoning is effective; with a 50 foot setback.

Mayor Hendricks confirmed as a clarification with the maker that the intent is to direct staff to research the issue with 50 feet as the starting point or minimum, and based on feedback and community input, staff might come back with another recommendation.

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

Absent: 1 - Councilmember Meyering

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Davis reported his attendance at meetings of the VTA Policy Advisory Committee and Moffett Field Restoration Advisory Board, and the National League of Cities Conference.

Councilmember Davis reported contact with an organization called N.O.I.S.E. which deals with aircraft noise issues across the United States, and that he shared the information with Councilmember Griffith.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

City Manager Deanna Santana reported a Closed Session has been added to the December 13 Council meeting agenda.

INFORMATION ONLY REPORTS/ITEMS

<u>16-1074</u>	Tentative Council Meeting Agenda Calendar
<u>16-0919</u>	Information/Action Items
<u>16-1136</u>	Council Presentation on Recreational Marijuana Act (Information Only)
<u>16-1072</u>	Board/Commission Resignation (Information Only)
<u>16-0984</u>	Board/Commission Meeting Minutes

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 11:30 p.m.