



City of Sunnyvale

Meeting Minutes - Final Planning Commission

Monday, October 9, 2017

6:00 PM

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

Special Meeting - Study Session - 6:00 PM | Special Meeting - Public Hearing 7 PM

6 P.M. STUDY SESSION

Call to Order in the West Conference Room

Roll Call

Study Session

A. [17-0964](#)

File #: 2017-7248

Location: 838 Azure Street (APN: 211-18-030)

Zoning: R-2/PD

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: to demolish two existing single family homes and construct four new two-story single family homes.

TENTATIVE PARCEL MAP: to subdivide one lot into 4 lots.

Applicant / Owner: Xin Lu (Applicant and Owner)

Environmental Review: Mitigated Negative Declaration

Project Planner: Ryan Kuchenig, (408) 730-7431,
rkuchenig@sunnyvale.ca.gov

B. [17-0963](#)

File #: 2017-7453

Location: 1023 N. Fair Oaks Avenue (APN: 110-14-169)

Zoning: MS/ITR/R-3/PD

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: to demolish an existing approximately 7,600 s.f. restaurant and redevelop the site with 14 three-story townhomes

VESTING TENTATIVE MAP: to subdivide one lot into 14 lots and one common lot

Applicant / Owner: Highland Partners Group Inc./ Robert P Nino Et Al

Environmental Review: The project is exempt from additional CEQA review per CEQA Guidelines section 15168(c)(2) and (4). The project is

within the scope of the Peery Park Specific Plan Program EIR as no new environmental impacts will occur and no new mitigation measures are required.

Project Planner: Ryan Kuchenig, (408) 730-7431,
rkuchenig@sunnyvale.ca.gov

Public Comment on Study Session Agenda Items

Adjourn Study Session

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Rheaume called the meeting to order at 7:02 PM in the Council Chambers.

SALUTE TO THE FLAG

Chair Rheaume led the salute to the flag.

ROLL CALL

Present: 7 - Chair Ken Rheaume
Vice Chair Carol Weiss
Commissioner Sue Harrison
Commissioner Daniel Howard
Commissioner John Howe
Commissioner Ken Olevson
Commissioner David Simons

ORAL COMMUNICATIONS

CONSENT CALENDAR

Vice Chair Weiss moved and Commissioner Howe seconded the motion to approve the Consent Calendar. The motion carried by the following vote:

Yes: 6 - Vice Chair Weiss
Commissioner Harrison
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons

No: 0

Abstained: 1 - Chair Rheaume

1. A [17-0962](#) Approve Planning Commission Meeting Minutes of October 2, 2017

PUBLIC HEARINGS/GENERAL BUSINESS

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Vote on Planning Commission sponsored study issue papers.

Planning Officer Andrew Miner provided information about the study issue process.

Commissioner Simons confirmed with Planning Officer Miner that changes to the draft study issue papers can be incorporated into the formal study issue papers.

Commissioner Simons provided information about the sponge city study issue and clarified the goal of zero water runoff in the City. Planning Officer Miner provided details about this potential scope.

Planning Officer Miner provided additional information about the study issue process.

Chair Rheume opened the Public Hearing.

Allen Breakstone, Sunnyvale resident, requested that HubHaus be proposed as a study issue or included in the Accessory Dwelling Unit (ADU) study issue if feasible.

Chair Rheume closed the Public Hearing.

Commissioner Harrison clarified the intent of the ADU study issue. Commissioner Harrison stated an opinion that the recent ADU study was limited because it only focused on lot size.

Commissioner Howe commented on the use of HubHaus and asked staff about the neighborhood impact. Planning Officer Miner advised that the City cannot legally define who lives in a household and that HubHaus roommates constitute a household because the lease length is more than 30 days. Senior Assistant City Attorney Rebecca Moon commented that the City could update the Boarding House Ordinance but that it may not apply to HubHaus. Senior Assistant City Attorney Moon stated that the City can only regulate code enforcement issues. Commissioner Howe stated that he will not be sponsoring a study issue on this topic.

Vice Chair Weiss commented on street parking issues associated with HubHaus and asked staff about potential regulation. Planning Officer Miner advised that parking requirements must be equivalent across households and provided information about residential parking requirements. Senior Assistant City Attorney Moon stated that family status is a protected class and that a different standard for a non-family household arrangement would constitute unlawful discrimination. Senior Assistant City Attorney Moon provided examples of failed limitations imposed by other Cities and details about building code regulations. Planning Officer Miner commented that the Neighborhood Preservation could investigate code enforcement issues but that ultimately the City is legally constrained.

Commissioner Howard stated an opinion that HubHaus is a symptom of the housing crisis and that HubHaus is a somewhat progressive option.

Commissioner Howard commented that the City should encourage the construction of ADU's and be more liberal in the types of ADU's that can be created. Commissioner Howard commented on ways for potential homebuyers to appeal to home sellers.

Commissioner Howard stated that perhaps the autonomous vehicle study issue is ahead of its time but that it could incorporate analysis of ride sharing services and potential changes for City design.

Commissioner Howard commented that perhaps the sponge city study issue could be spearheaded by the City Council due to its extensive scope.

Commissioner Harrison summarized the ADU study issue.

Commissioner Howard confirmed with Planning Officer Miner that including an affordable housing unit in an ADU would likely be a difficult process.

The motion carried by the following vote:

Yes: 5 - Chair Rheume
Commissioner Harrison
Commissioner Howard
Commissioner Howe
Commissioner Olevson

No: 2 - Vice Chair Weiss
Commissioner Simons

Commissioner Simons summarized the autonomous vehicle study issue.

Commissioner Howard suggested that this study issue incorporate analysis of ride sharing services. Commissioner Simons noted his agreement.

The motion carried by the following vote:

Yes: 6 - Chair Rheaume
Vice Chair Weiss
Commissioner Harrison
Commissioner Howard
Commissioner Howe
Commissioner Simons

No: 1 - Commissioner Olevson

Commissioner Harrison summarized the variation in building heights study issue.

The motion carried by the following vote:

Yes: 7 - Chair Rheaume
Vice Chair Weiss
Commissioner Harrison
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons

No: 0

Commissioner Simons summarized the sidewalk width study issue.

Commissioner Harrison asked staff about the most recent update to sidewalk standards. Acting Principal Planner Rosemarie Zulueta provided details about this update as made by the Department of Public Works (DPW). Commissioner Simons

noted that it was not public, did not go through the City Council and that sidewalk widths were downgraded throughout the City. Planning Officer Miner advised that a sidewalk width study issue could be referred to the Bicycle and Pedestrian Advisory Committee (BPAC). Planning Officer Miner provided details about the analysis of sidewalk widths. Commissioner Simons commented on BPAC's lack of involvement in the development review process.

The motion carried by the following vote:

Yes: 5 - Vice Chair Weiss
Commissioner Harrison
Commissioner Howe
Commissioner Olevson
Commissioner Simons

No: 2 - Chair Rheume
Commissioner Howard

Commissioner Simons summarized the sponge city study issue.

Commissioner Simons asked staff for their recommendation. Planning Officer Miner provided information about the feasibility of this study issue and options on how to proceed.

Commissioner Howe commented on the study issue process and noted that this study issue as proposed could be expensive since it is a substantial multi-year project. Commissioner Howe suggested that this study issue instead analyze the existing processes, their effectiveness and potential improvements to reach the stormwater retention goal. Planning Officer Miner stated that this could be a two-step process and that staff would need to define departmental interdependences and responsibilities.

Commissioner Harrison confirmed with Planning Officer Miner that the sponge city study issue could be incorporated into the Climate Action Plan (CAP) 2.0.

Commissioner Howard clarified the management of larger study issues with Planning Officer Miner. Planning Officer Miner advised that the Planning Commission could sponsor this study issue, revise it as suggested by Commissioner Howe or ask for inclusion in CAP 2.0.

Chair Rheaume asked Planning Officer Miner about the development of a roadmap. Planning Officer Miner advised that staff will collaborate and provide future feedback to the Planning Commission if this study issue is sponsored.

Vice Chair Weiss stated an opinion that it seems appropriate to include this study issue in CAP 2.0. Planning Officer Miner advised that inclusion in CAP 2.0 can be a part of staff's discussion and that staff will return with a recommendation and potentially a revised final study issue paper.

The motion carried by the following vote:

Yes: 7 - Chair Rheaume
Vice Chair Weiss
Commissioner Harrison
Commissioner Howard
Commissioner Howe
Commissioner Olevson
Commissioner Simons

No: 0

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

ADJOURNMENT

Chair Rheaume adjourned the meeting at 8:12 PM.