



City of Sunnyvale

Meeting Minutes - Final Planning Commission

Monday, December 11, 2017

7:00 PM

Council Chambers, City Hall, 456 W. Olive
Ave., Sunnyvale, CA 94086

Study Session Cancelled | Special Meeting - Public Hearing 7 PM

STUDY SESSION CANCELLED

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Rheume called the meeting to order at 7:00 PM in the Council Chambers.

SALUTE TO THE FLAG

Chair Rheume led the salute to the flag.

ROLL CALL

Present: 6 - Chair Ken Rheume
Vice Chair Carol Weiss
Commissioner Sue Harrison
Commissioner John Howe
Commissioner Ken Olevson
Commissioner David Simons
Absent: 1 - Commissioner Daniel Howard

Status of absence; Commissioner Howard's absence is excused.

ORAL COMMUNICATIONS

Mary Brunkhorst presented images and information about Story Poles related to Community Development Department (CDD) Study Issue 18-08.

Planning Officer Andrew Miner noted that this City Council sponsored study issue has not yet been finalized but that it can be ranked by the City Council in February 2018

CONSENT CALENDAR

Commissioner Simons requested to pull items 1.A and 1.C from the Consent Calendar.

Commissioner Howe moved and Vice Chair Weiss seconded the motion to approve item 1.B on the Consent Calendar. The motion carried by the following vote:

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

No: 0

Absent: 1 - Commissioner Howard

Commissioner Simons stated an opinion that the Code of Ethics and Conduct for Elected and Appointed Officials has evolved due to past issues and that certain sections should be better explained because the context has been lost. Commissioner Simons commented that it can be useful for a Commission to discuss issues related to another Commission's purview and stated an opinion that some of the Code of Ethics and Conduct for Elected and Appointed Officials is excessively trying to control behavior. Commissioner Simons recommended that the Code of Ethics and Conduct for Elected and Appointed Officials be reviewed and thinned.

Commissioner Howe moved and Commissioner Harrison seconded the motion to approve item 1.A on the Consent Calendar. The motion carried by the following vote:

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

No: 0

Absent: 1 - Commissioner Howard

Commissioner Simons requested a modification to the November 27, 2017 Planning Commission draft minutes to include “right turn lane consideration for Remington eastbound and the impact of a single lane on Remington east of Sunnyvale-Saratoga for its impact on pedestrian and bicycle safety of the intersection”.

Commissioner Simons moved and Commissioner Howe seconded the motion to approve item 1.C on the Consent Calendar, as modified. The motion carried by the following vote:

Yes: 4 - Chair Rheaume
Vice Chair Weiss
Commissioner Howe
Commissioner Simons

No: 0

Absent: 1 - Commissioner Howard

Abstained: 2 - Commissioner Harrison
Commissioner Olevson

- 1. A** [17-1142](#) Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials
- 1. B** [17-1147](#) Approve the 2018 Planning Commission Annual Work Plan
- 1. C** [17-1152](#) Approve Planning Commission Meeting Minutes of November 27, 2017

PUBLIC HEARINGS/GENERAL BUSINESS

- 2.** [17-0979](#) **File #:** 2017-7688
Location: 1135-1166 Pome Avenue (APNs 202-18-029 through 031, 202-11-023 through 027, 202-13-002 through 007 and 058); 1142-1167 Pomegranate Court (APNs 202-13-008 through 013, 202-13-016 through 021, 202-13-059 and 060); 1142-1167 Pulora Court (APNs 202-13-022 through 035), 1142-1170 Quince Avenue (APNs 202-13-036 through 050); 701-795 Sheraton Avenue (APNs 202-12-004 through 019); 1151-1167 Hollenbeck Avenue (202-13-053 through 057).
Zoning: R-1
Proposed Project: Introduction of an Ordinance to **REZONE** 79 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)
Applicant / Owner: John Scheffel (plus multiple property owners)
Environmental Review: The Ordinance being considered is

categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a 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).

Project Planner: Shétal Divatia (408) 730-7637,
sdivatia@sunnyvale.ca.gov

Vice Chair Weiss recused herself due to the proximity of her home to the proposed project.

Senior Planner Shetal Divatia presented the staff report.

Commissioner Harrison confirmed with Senior Planner Divatia that the proposed boundary for this Single Story Combining District (SSCD) matches the original tract boundary.

Commissioner Harrison asked staff about the two property owners in opposition. Senior Planner Divatia advised that those property owners have two-story homes and felt that they couldn't support the SSCD.

Commissioner Olevson commented that there are a significant number of residents not supporting this SSCD and asked staff about a discernable pattern. Planning Officer Andrew Miner provided details about the SSCD application and survey. Senior Planner Divatia advised that there is no specific pattern.

Chair Rheume stated that 28 of the lots do not back up to single-story properties and asked staff about a correlation between those lots and property owners who did not reply to the City survey. Planning Officer Miner advised that the single story combining district does not apply only to Eichler homes, but also is used to ensure the neighborhood identity is maintained.

Chair Rheume confirmed with Senior Planner Divatia that the properties on Hollenbeck Avenue are not part of the tract. Chair Rheume noted that the proposed SSCD district must be clearly delineated and asked for staff comments. Planning Officer Miner stated that this application follows a tract boundary and that the Hollenbeck Avenue properties include two-story homes but not Eichler homes.

Chair Rheume opened the Public Hearing.

Applicant John Scheffel presented images and information about the proposed project.

Carol Weiss, speaking as a Sunnyvale resident, discussed her concerns with the development of SSCD enclaves and commented on existing requirements that protect privacy and regulate the development of two-story Eichler homes. Ms. Weiss stated an opinion that the SSCD process needs to be evaluated and noted that there are 16 SSCD's in the City but only one historic district.

Senior Assistant City Attorney Rebecca Moon explained that when a Commissioner has a conflict of interest related to their personal residence they can speak as a member of the public.

Fan Zhang discussed his concerns with two-story residential developments impacting the privacy of single-story homes. Mr. Zhang noted his understanding that the Eichler Design Guidelines are recommendations that can easily be changed and are not requirements.

Commissioner Harrison asked for staff comments in regards to the Eichler Design Guidelines.

Planning Officer Miner stated that the Eichler Design Guidelines are policy that has been adopted by the City Council and can be enforced. Planning Officer Miner provided further details about the Eichler Design Guidelines. Commissioner Harrison confirmed with Planning Officer Miner that the Eicher Design Guidelines must be followed as City Council policy.

Commissioner Harrison discussed the future potential to keep the Eichler homes in their original state with Mr. Scheffel.

Chair Rheaume discussed the relationship of lot size on a homeowners' ability to build larger homes and the impact on homeowners with smaller lots with Mr. Scheffel.

Chair Rheaume closed the Public Hearing.

MOTION: Commissioner Howe moved and Commissioner Olevson seconded the motion for Alternatives 1 and 2 –

1. Find the project exempt from CEQA pursuant to CEQA Guidelines Sections

15305 and 15061 (b)(3)

2. Introduce an Ordinance (Attachment 6 of this report) to Rezone 79 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Commissioner Howe commented that the City Council has created an ordinance that allows for the creation of SSCD's if the criteria are met. Commissioner Howe stated that this application has met all the requirements, has overwhelming support and is proposed in an area that consists predominantly of Eichler homes.

Commissioner Olevson noted his previous concerns about restricting the property rights of homeowners. Commissioner Olevson stated that this application meets all the requirements and that he will be voting to recommend that the City Council approve this SSCD.

Commissioner Simons stated that he will be supporting the motion. Commissioner Simons commented on the discussion of development based on lot size and the current cost of construction in the City.

Commissioner Harrison stated that she will be supporting the motion. Commissioner Harrison noted that the application follows the original tract boundary and that the homeowners will only restrict their own development. Commissioner Harrison stated an opinion that a SSCD designation is the wrong tool if residents want to keep Eichler homes in their original state. Commissioner Harrison commented on the intended use of the Eichler Design Guidelines.

Chair Rheume thanked the applicant and stated that he will not be supporting the motion. Chair Rheume stated that he cannot make the findings that the proposed boundary is clearly delineated. Chair Rheume stated that an SSCD designation is the wrong tool to preserve this neighborhood.

The motion carried by the following vote:

Yes: 4 - Commissioner Harrison
Commissioner Howe
Commissioner Olevson
Commissioner Simons

No: 1 - Chair Rheume

Absent: 1 - Commissioner Howard

Recused: 1 - Vice Chair Weiss

Planning Officer Miner advised that this item goes to the City Council on January 23rd, 2018.

3. [17-1151](#) **File #:** 2017-7248
 Location: 838 Azure Dr. (APN: 211-18-030)
 Zoning: R-2/PD (Residential Low-Medium Density/Planned Development)
 Proposed Project: Related applications on a .34-acre site:
 SPECIAL DEVELOPMENT PERMIT: to develop four new single family homes. The existing single family home and accessory living unit are proposed to be demolished.
 VESTING TENTATIVE MAP: to subdivide one lot into four lots
 Applicant / Owner: Xin Lu
 Environmental Review: Mitigated Negative Declaration
 Project Planner: Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

Senior Planner Ryan Kuchenig presented the staff report.

Commissioner Howe confirmed the location and designation of parking with Senior Planner Kuchenig. Planning Officer Miner explained the parking requirements and stated that the additional guest parking space exceeds the required parking. Planning Officer Miner noted that the additional space was added in response to Planning Commission comments during the study session. Commissioner Howe asked staff about street parking. Senior Planner Kuchenig stated that curbside parking along Azure Drive will accommodate an additional three cars.

Commissioner Simons confirmed with Senior Planner Kuchenig that staff is amenable to a review of the landscape selection by the City Arborist.

Commissioner Simons asked staff about configuring the bathrooms for future installation of safety bars. Senior Planner Kuchenig advised that the applicant can address this question.

Vice Chair Weiss confirmed with staff that the existing conditions incorrectly list a restaurant.

Vice Chair Weiss noted that two different owners are listed between the site plans

and staff report. Planning Officer Miner explained that the staff report lists the owner who filed the application.

Commissioner Harrison asked staff about the second-story combined side yard setback. Senior Planner Kuchenig advised that staff is proposing to eliminate 3 feet 3-inches from each side.

Commissioner Olevson confirmed with Senior Planner Kuchenig that each unit will receive three trash containers. Senior Planner Kuchenig provided details about the site design. Commissioner Olevson asked about the possibility of cars parked on the street during pickup days. Senior Planner Kuchenig advised that a no parking area could be considered. Planning Officer Miner confirmed this could be added as a COA.

Chair Rheume asked staff if the fence heights comply with City requirements. Senior Planner Kuchenig stated that the six-foot fences are not within any vision triangle and will allow for a more adequate yard. Planning Officer Miner noted the potential for the use of lattice to meet the total fence height.

Chair Rheume confirmed the removal and replacement of street trees with Senior Planner Kuchenig.

Chair Rheume confirmed the guest parking changes with Senior Planner Kuchenig. Chair Rheume noted his concern about the parking configuration and asked staff why the guest parking was not planned in front of Unit 2. Planning Officer Miner stated that there was not enough room on site for that design and that this parking space was added to mitigate parking concerns. Chair Rheume commented that the guest parking between Unit 2 and Azure Drive could be widened and used for two parking spots. Planning Officer Miner stated that the Planning Commission could require that change. Chair Rheume discussed alternate configurations with Planning Officer Miner.

Chair Rheume opened the Public Hearing.

Rodger Griffin, representing Paragon Design Group, Inc., presented images and information about the proposed project.

Commissioner Simons confirmed with Mr. Griffin that they are amenable to a review of the landscape selection by the City Arborist.

Commissioner Simons confirmed with Mr. Griffin that a COA can be added to specify that backing will be installed in bathrooms for future installation of safety bars.

Commissioner Simons confirmed with Mr. Griffin that space can be designated on the street for 12 trash and recycling containers.

Commissioner Simons confirmed with Mr. Griffin that a COA can be added to specify that the guest parking space between Azure Drive and Unit 2 cannot be expanded and will retain the decorative paving.

Commissioner Harrison asked the applicant about deviations for the solar shading study. Mr. Griffin stated that the only adjacent home is to the south and that no shadow will be cast to the south.

Commissioner Harrison discussed the removal of 3 feet 3-inches from each side to meet the second story side yard setback with Mr. Griffin.

Commissioner Olevson asked the applicant about their objection to COA PS-1. Mr. Griffin advised that they feel their proposed setback is adequate.

Joe Vojvoda, Sunnyvale resident, discussed his concerns with existing parking issues and the potential for garbage cans to take up street parking.

Commissioner Olevson asked Mr. Vojvoda about the source of the additional cars parking on the street. Mr. Vojvoda stated that they are from adjacent residential complexes that do not have enough parking.

Mr. Griffin presented additional information about the proposed project.

Vice Chair Weiss confirmed the trash and recycling location with Mr. Griffin.

Vice Chair Weiss confirmed with Mr. Griffin that they are amenable to specify in the COA that the garages be prewired for electric vehicles.

Vice Chair Weiss confirmed with Mr. Griffin that they are amenable to work with City staff to implement exterior lights that are on the approved International Dark-Sky Association (IDA) products list.

Chair Rheume closed the Public Hearing.

Commissioner Harrison asked staff about the purpose of the second-story combined side yard setback. Senior Planner Kuchenig provided details regarding privacy, aesthetics and limiting the impacts of small lot development. Commissioner Harrison confirmed the surrounding land uses with Senior Planner Kuchenig.

Vice Chair Weiss asked staff about the maintenance and monitoring of the ventilation systems. Senior Planner Kuchenig stated that the property owner for each unit will be responsible. Planning Officer Miner stated that if each unit has its own ventilation system then each owner will be accountable. Vice Chair Weiss asked staff to clarify that language and Planning Officer Miner confirmed.

MOTION: Commissioner Simons moved and Commissioner Harrison seconded the motion for Alternative 2 – Make the findings required by CEQA in Attachment 3, adopt the Mitigated Negative Declaration and approve the Special Development Permit and Tentative Map with the recommended findings in Attachment 3 and modified conditions –

- a. Add PS-1 b) to specify installation of blocking in bathtub area walls to enable installation of safety bars;
- b. Modify BP-5 to include language which requires that an appropriate curb color be painted for four sets of three trash and recycling containers along the street;
- c. Add BP-22 h) to specify that the new guest parking space between Azure Drive and Unit 2 will not be expanded and will retain the decorative paved area in the front;
- d. Add BP-38 to specify that all garages be pre-wired for electric vehicles, as required by the Building Code;
- e. Add BP-19 g) to direct staff to work with the applicant to implement International Dark-Sky Association (IDA) approved exterior lighting hardware;
- f. Modify PS-1 to remove the minimum combined second-story side yard setback requirement; and,
- g. Add BP-9 g) to require that native large species trees as appropriate for the site be selected and to consult with the City Arborist to ensure that no new trees would be vectors for Sudden Oak Death or fire volatility.

Senior Assistant City Attorney Rebecca Moon commented that the request to pre-wire the garages for electric vehicles should state “as required by the Building

Code.” Commissioner Simons modified the language.

Commissioner Harrison asked staff if there are Building Code regulations for blocking and IDA lights. Planning Officer Miner stated that staff will check with the Building Division and update the language for those modifications if warranted.

Commissioner Harrison stated that she will be supporting the motion. Commissioner Harrison noted that she would have accepted a deviation for the north side due to the lack of adjacent single-story homes. Commissioner Harrison stated an opinion that the need for housing and special characteristics of the site outweigh the need for a setback on the south side.

Commissioner Simons noted his concern about setbacks and landscaping but stated that an improved landscaping plan will be beneficial long term to the project. Commissioner Simons commented that the proposed unit size is desired in the City. Commissioner Simons commented on the potential for the expansion of the guest parking spot but that the additional COA will ensure correction of any future change. Commissioner Simons stated that he can make the findings.

Commissioner Howe stated that he will not be supporting the motion. Commissioner Howe stated that he can make the findings to approve the Mitigated Negative Declaration but not to approve the Special Development Permit. Commissioner Howe stated an opinion that this is a bad project due to the existing parking issues and the proposed workaround for trash and recycling pickup.

Vice Chair Weiss stated her appreciation for the home ownership opportunities in the City, the project’s adjacency to retail and public transportation and the compatible scale for the neighborhood. Vice Chair Weiss commented on the decrease in auto ownership with younger generations and stated that hopefully the parking will be adequate. Vice Chair Weiss stated that she can make the findings and will be supporting the motion.

Commissioner Olevson stated that he will not be supporting the motion. Commissioner Olevson noted his appreciation of the modified COA’s but stated that parking is a huge issue. Commissioner Olevson stated an opinion that this project does not fit the neighborhood and will not benefit the City. Commissioner Olevson stated that he could support the project at a lower residential density.

Chair Rheame stated that he will be supporting the motion and can make the

findings. Chair Rheume stated his appreciation of the home ownership opportunities. Chair Rheume commented on parking issues in conjunction with the project's design. Chair Rheume commented that younger generations are not as bound by cars and that the City should not plan to accommodate cars when they will be less utilized in the future.

The motion carried by the following vote:

Yes: 4 - Chair Rheume
Vice Chair Weiss
Commissioner Harrison
Commissioner Simons

No: 2 - Commissioner Howe
Commissioner Olevson

Absent: 1 - Commissioner Howard

Planning Officer Miner stated this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

4. [17-1100](#) **File #:** 2016-7962
Location: 740 San Aleso Avenue (APNs: 204-01-006, 007,016 and 204-02-005)
Proposed Project: **PEERY PARK PLAN REVIEW PERMIT and VESTING TENTATIVE MAP:** To redevelop five industrial sites into a residential development consisting of 118 units (96 townhome-style condominiums and 20 duets and 2 single-family dwellings).
Applicant/Owner: CalAtlantic
Environmental Review: The project is exempt from additional CEQA review per CEQA Guidelines section 15168(c) (2) and (4) and Public Resources Code Section 21094(c). The project is within the scope of the Peery Park Specific Plan Program EIR as no new environmental impacts are anticipated and no new mitigation measures are required.
Project Planner: Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov

Project Planner Margaret Netto presented the staff report.

Commissioner Howe stated that he met with the applicant's representative to discuss the proposed project.

Vice Chair Weiss asked staff if 728 San Aleso Avenue is included in the proposed

project and if soil analysis will be required due to that site's current use. Project Planner Netto confirmed that soil analysis has been completed and that the applicant will seek regulatory oversight per Condition of Approval (COA) MM-1.

Commissioner Olevson clarified with Project Planner Netto that new street trees will be required along San Aleso Avenue.

Chair Rheaume confirmed with Project Planner Netto that the existing trees will be removed due to their health per the City Arborist evaluation and the proposed configuration of the buildings and sidewalks.

Chair Rheaume opened the Public Hearing.

Peter Hellmann, representing CalAtlantic homes, presented images and information about the proposed project.

Jill Williams, representing KTG Y Group Inc., presented images and information about the proposed project.

Commissioner Howe confirmed with Mr. Hellmann that all the units are designated for ownership.

Commissioner Howe commented on a previous issue with exterior lights and cameras on commercial buildings that invaded the privacy of the adjacent neighborhood. Commissioner Howe asked the applicant about their security and lighting requirements. Mr. Hellmann stated that glare reducing exterior lighting can be used and commented that they would accept a restriction on the use of security cameras.

Vice Chair Weiss asked the applicant about an alternate location for the air conditioning units. Mr. Hellmann advised that other locations could not support these units but that architectural screening will mitigate the visual impact.

Vice Chair Weiss clarified with Mr. Hellmann that the third curb cut is for emergency vehicle access and will be landscaped with pavers.

Mr. Hellmann provided details about the use and design of the recreation area to Vice Chair Weiss.

Chair Rheume stated his concern that the details shown in the site plan need to match the future buildings. Chair Rheume asked the applicant about the depth of the recessed windows. Ms. Williams stated that the deeper recess will be used for the main elements of the façade and provided additional details.

Chair Rheume clarified with Ms. Williams that the windows shown in the site plans will be a series of individual single hung windows. Chair Rheume confirmed with Ms. Williams that the craftsman style duets will consist of three individual single hung windows and not sliders.

Commissioner Simons asked the applicant about potential variation in the vent style. Ms. Williams provided background about the depicted vent style. Commissioner Simons confirmed with Ms. Williams that they are amenable to working with staff on the vent ornamentation.

Commissioner Simons commented on inserts in Spanish architecture that are site appropriate and asked the applicant about alcove insets or other architectural details. Ms. Williams stated that they are amenable to a review with City staff. Commissioner Simons noted the potential for the use of wrought iron elements as embellishments and discussed architectural details with Ms. Williams.

Commissioner Simons confirmed with Mr. Hellmann that they are amenable to the staff proposed changes to the COA's.

Commissioner Simons asked the applicant about the closure of access to Ferndale Avenue. Mr. Hellmann provided background about the "holes in the wall" and security concerns from the Sunnyvale Neighbors of Arbor including La Linda (SNAIL) neighborhood.

Tewfik Mourad, Sunnyvale resident, discussed his concerns with the height and style of the replacement wall, the impact of the existing fences and the potential solarium.

Dave King, Sunnyvale resident, discussed the differences in wall height between the SNAIL neighborhood and San Aleso Avenue. Mr. King requested a fence height of at least six feet and that the applicant maintain the existing recess.

Barry Boole, Sunnyvale resident, provided background about the history of development in the SNAIL neighborhood. Mr. Boole requested that Sunnyvale

Municipal Code be modified to ensure the sealing of pass throughs.

John Cordes, member of the Bicycle and Pedestrian Advisory Commission and SNAIL resident, spoke in support of the proposed project. Mr. Cordes asked the Planning Commission to prevent parking on the eastbound side of San Aleso Avenue, noted his dislike of the visual impact of the air conditioning units and asked about requiring solar power.

Amanda Richey, Sunnyvale resident, discussed her questions and concerns with the covered patio area, the eight-foot masonry wall, the existing electrical lines and the impact of shading.

Justin Brown, Sunnyvale resident, spoke in support of the proposed project. Mr. Brown discussed his safety concerns regarding the pass throughs and asked for elaboration on the process and timing of the wall replacement.

Ann Davis, Sunnyvale resident, discussed her concerns with the noticing process, public safety, landscaping selection and screening and the placement of exterior lighting. Ms. Davis stated that this project will be an improvement for the site.

Tharun Kuppireddy, Sunnyvale resident, spoke in support of the project but noted his concerns with public safety and notification for residents about the timing and installation of the replacement wall.

Mr. Hellmann provided additional information about the proposed project and addressed the presented concerns.

Chair Rheaume closed the Public Hearing.

Commissioner Howe confirmed the details of the third staff proposed COA change with Project Planner Netto.

MOTION: Commissioner Howe moved and Commissioner Simons seconded the motion for Alternative 2 – Alternative 1 with modified Conditions of Approval –

- a. Modify GC-7 by removing “and maintain membership within the organization”;
- b. Modify BP-22 by replacing “building permit submittal” with “application completeness”;
- c. Modify BP-30 to state that the proposed on-site sanitary sewer pump station will be maintained if deemed necessary;

- d. Modify PF-4 to specify that any exterior security cameras cannot infringe on the privacy of the adjacent neighborhood, with City review to take place for installation;
- e. Add GC-1 a) to specify that the window color and design will match the approved site plan;
- f. Add PS-1 a), b) and c) to specify that staff work with the applicant on the following architectural details: detailing of corbels and brackets, addition of wrought iron elements as appropriate and additional detail to the Spanish vents;
- g. Add BP-12 f) to specify that native large species trees be used, as appropriate for the site;
- h. Add GC-11 a) to require that the applicant coordinate and notify the neighbors 30 days prior to demolition and construction of the boundary wall; and,
- i. Add GC-17 to specify that the Department of Public Works (DPW) review street parking regulations to ensure safe passage to school.

Chair Rheame proposed modification e. and Commissioner Howe and Commissioner Simons accepted this modification. Commissioner Simons proposed modifications f. through h. and Commissioner Howe accepted these modifications. Vice Chair Weiss proposed modification i. and Commissioner Howe and Commissioner Simons accepted this modification.

Commissioner Simons asked staff about the review process for changes to the Conditions, Covenants and Restrictions (CC&R's). Senior Assistant City Attorney Rebecca Moon advised that if there is a change to the CC&R's that affects the City's interest then it can require City approval. Commissioner Simons confirmed the addition of a City review to modification d. with Commissioner Howe.

Commissioner Howe stated an opinion that this project will improve the existing neighborhood, provide housing and give opportunity for home ownership. Commissioner Howe commented that the adjacent nature of this new housing to jobs in the Peery Park Specific Plan will be beneficial for the City and residents.

Commissioner Simons commented on the importance of landscaping as the site transitions to a three-story residential project. Commissioner Simons noted the need for larger trees for aesthetic, shade and benefit of the pedestrian feel. Commissioner Simons commented on the improved architectural details that will make this project a nice addition to the neighborhood and be of benefit to the City long term.

Commissioner Olevson stated that he will be supporting the motion. Commissioner

Olevson noted his appreciation of the transformation of the industrial San Aleso area to a single-family home neighborhood with buffer zones along the north and west sections. Commissioner Olevson commented that this will be a good addition to the neighborhood and City. Commissioner Olevson stated that this project will provide homes near a growing work center and commended the applicant for their efforts.

Vice Chair Weiss stated that she can make the findings. Vice Chair Weiss noted her appreciation of the variety of size and type of units, the arched entryways, the 14 below market rate units and the addition of sidewalks along San Aleso Avenue. Vice Chair Weiss commented that the project is in a transition location and that it will be a good buffer between residential and industrial uses. Vice Chair Weiss stated that she will be supporting the motion.

Commissioner Harrison stated that she will be supporting the motion. Commissioner Harrison noted her appreciation of the number of units, architectural details, community building, recessed windows and the notch in the moon gate.

Chair Rheume asked staff about the two feet of property being given to property owners as mentioned by the applicant. Planning Officer Miner clarified with Mr. Hellmann that they do want to complete lot line adjustments with all adjoining property owners. Planning Officer Miner advised that staff will work with the applicant on this request as it is not part of the motion before the Planning Commission.

Chair Rheume stated that he will be supporting the motion and can make the findings. Chair Rheume noted that this is a great location for housing and that it is close to Moffett Park. Chair Rheume commended staff and thanked the applicant for the architectural details. Chair Rheume noted his intention that the Planning Commission ensure that applicants build quality developments. Chair Rheume stated his understanding of resident concerns and noted his hope that this new development will reduce the need for the public safety concerns.

The motion carried by the following vote:

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

No: 0

Absent: 1 - Commissioner Howard

Planning Officer Miner stated this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

5. [17-1067](#) **File #:** 2016-7573
Location: 623-625 N. Pastoria Avenue (APNs:165-41-029 & 165-41-030)
Proposed Project: Related applications on a 1.35-acre site on N. Pastoria Avenue:
 PEERY PARK PLAN REVIEW PERMIT to construct a 52,755-square foot, three-story corporate/research and development (R&D) office building and a 1-level underground parking structure resulting in a total of 89% FAR. The project includes a restaurant on the first floor.
Applicant / Owner: Arc Tec, Inc. / George And Josefa Yagmourian Trustee
Environmental Review: The project is exempt from additional CEQA review per CEQA Guidelines section 15168(c)(2) and (4) and Public Resources Code Section 21094 (c). The project is within the scope of the Peery Park Specific Plan Program EIR as no new environmental impacts are anticipated and no new mitigation measures are required.
Project Planner: Ryan Kuchenig (408) 730-7431, rkuchenig@sunnyvale.ca.gov

Senior Planner Ryan Kuchenig presented the staff report.

Chair Rheaume opened the Public Hearing.

John Duquette, representing Arc Tec Inc., presented images and information about the proposed project.

Commissioner Simons confirmed with Mr. Duquette that the updated tile is stone tile

and that aluminum panels will be used on the roof.

Chair Rheume closed the Public Hearing.

MOTION: Commissioner Harrison moved and Commissioner Howe seconded the motion for Alternative 1 – Make the required Findings to approve the CEQA determination that the project is within the scope of the Peery Park Specific Plan (PPSP) Environmental Impact Report (EIR) and no additional environmental review is required in Attachment 4; make the Findings for the Peery Park Plan Review Permit, Sense of Place Fee and Water Infrastructure fee in Attachment 4; and approve the Peery Park Plan Review Permit subject to the PPSP Mitigation Monitoring and Reporting Program in Attachment 7 and recommended conditions of approval noted in Attachment 5.

Commissioner Harrison stated that she can make the findings. Commissioner Harrison noted her appreciation of the architectural details, retention of existing trees, community benefits and USGBC certification. Commissioner Harrison commented that this project will be a big improvement for the site and neighborhood.

Commissioner Howe thanked staff and the applicant for their work on this wonderful project for the area. Commissioner Howe stated that he can make the findings.

Vice Chair Weiss noted her appreciation of the retention of trees, improved entryways, updated stone tile and different building surface planes. Vice Chair Weiss stated that she can make the findings.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment that the landscaping selection use native, large species trees as appropriate for the site. Commissioner Harrison and Commissioner Howe accepted the friendly amendment.

Commissioner Simons stated that he will be supporting the motion. Commissioner Simons commented the project has significant aesthetic improvements from the study session.

Commissioner Olevson stated that he will be supporting the motion and can make the findings that the project is within the scope of the PPSP EIR and that no additional environment review is required. Commissioner Olevson stated that the Peery Park Plan Review Permit is consistent with the requirements. Commissioner

Olevson commented that the project has a nice design and will be an improvement for this area.

Chair Rheume stated that he will be supporting the motion and can make the findings in regards to the PPSP and the General Plan. Chair Rheume commented that the project will be a great improvement for the area and commended staff for their assistance in retaining the redwood trees.

The motion carried by the following vote:

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

No: 0

Absent: 1 - Commissioner Howard

Planning Officer Miner advised that this item goes to the City Council on January 23rd, 2018.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Commissioner Simons commented that Commissioners could previously meet with applicants at City facilities but that this is currently not permitted. Commissioner Simons asked staff to analyze this change and provide information once available.

Commissioner Harrison provided an update regarding the December 5th, 2017 meeting of the El Camino Real Plan Advisory Committee (ECRPAC).

Commissioner Harrison provided an update regarding the Climate Action Plan 2.0 Advisory Committee.

Commissioner Howe noted his appreciation of the Information Only item, confirmed that this was the original intent of the motion and thanked staff.

-Staff Comments**INFORMATION ONLY REPORTS/ITEMS**[17-1163](#)

Proposed Project: Change to condition of approval for a recently approved 18,600-square foot commercial building for a child care facility of up to 240 children.

Location: 1010 Sunnyvale Saratoga Road (APN: 211-21-032)

File #: 2017-7633

Project Planner: Momoko Ishijima, (408) 730-7532,
mishijima@sunnyvale.ca.gov

Planning Officer Miner presented the Information Only item.

ADJOURN PUBLIC HEARING TO THE WEST CONFERENCE ROOM

Chair Rheume adjourned the meeting to the West Conference Room for the selection and ranking of potential 2018 study issues.

6. [17-0965](#) Selection and Ranking of Potential 2018 Study Issues

ADJOURNMENT

Chair Rheume adjourned the meeting at 11:40 PM.