



City of Sunnyvale

Meeting Minutes - Final Planning Commission

Monday, January 8, 2018

6:30 PM

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

Special Meeting - Study Session - 6:30 PM | Special Meeting - Public Hearing 7 PM

6:30 P.M. STUDY SESSION

Call to Order in the West Conference Room

Roll Call

Study Session

A. [17-1204](#)

File #: 2017-7217

Location: 617 E Evelyn Avenue (APN: 209-02-001)

Zoning: R-3/PD - Medium Density Residential / Planned Development

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: to redevelop the Blue Bonnett Mobile Home Park (54-units) to a 62-unit townhouse development with associated site improvements (net increase of eight units).

TENTATIVE MAP: to subdivide the site into 18 residential lots and three common area lots

Applicant / Owner: East Dunne Investors, LLC (applicant)/Chien-Nan and Sue Chuang Trustee (owner)

Environmental Review: Mitigated Negative Declaration

Project Planner: Momoko Ishijima, (408) 730-7532,
mishijima@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 7:15 PM in the Council Chambers.

SALUTE TO THE FLAG

Chair Rheume led the salute to the flag.

ROLL CALL

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

ORAL COMMUNICATIONS

CONSENT CALENDAR

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

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

No: 0

Abstained: 1 - Commissioner Howard

1. A [18-0040](#) Approve Planning Commission Meeting Minutes of December 11, 2017

PUBLIC HEARINGS/GENERAL BUSINESS

2. [17-0985](#) CONTINUED FROM NOVEMBER 27, 2017, PUBLIC HEARING
File #: 2017-7395
Location: 485 E. Mc Kinley Avenue (APN:209-11-047)
Zoning: R-2/PD
Proposed Project: Related applications for a 7,500-square foot (0.17 acre) site:
 DESIGN REVIEW: To allow construction of two new 2-story, single-family homes (1,968 s.f. and 2,442 s.f. in size) resulting in a combined 57.5 percent Floor Area Ratio (FAR) for the site;
 TENTATIVE MAP: To subdivide one parcel into two lots.
Applicant / Owner: 487 E. Mc Kinley LLC (applicant and owner)
Environmental Review: Categorically Exempt Class 3 (15303 - New

construction and conversion of small structures)

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

Senior Planner Shetal Divatia presented the staff report.

Commissioner Harrison asked staff about the reason for the continuance. Senior Planner Divatia advised that clarification was needed between different versions of the site plans.

Commissioner Howe clarified with Senior Planner Divatia that the proposed project, as conditioned by staff, would meet all setbacks except between the two proposed homes.

Commissioner Howard asked staff about the need for a deviation as opposed to a variance. Senior Planner Divatia stated that the proposed deviations are allowed through the Planned Development (PD) zoning and therefore do not require separate variances.

Vice Chair Weiss discussed the deviations previously approved by the City Council for this site with Senior Planner Divatia.

Commissioner Olevson noted that the minimum lot area is 3,600 s.f. per unit in an R-2 zoning district and asked staff if the unit that does not meet this square footage requires a deviation. Senior Planner Divatia provided information about the density of the R-2 zone and staff advised that they would return to this question.

Vice Chair Weiss asked staff about the location of the open space for each unit. Planning Officer Andrew Miner advised that each unit will have a fenced, private rear yard.

Chair Rheame noted that the proposed driveway width is ten feet and asked staff about standard driveway widths. Planning Officer Miner stated that ten feet is the minimum requirement and that it is a common driveway width.

Chair Rheame noted his appreciation of the color renderings and asked staff how to ensure that what is shown is built, if the proposed project is approved. Planning Officer Miner stated that staff will commit the applicant to building as specified in the approved site plans and noted that the Planning Commission can condition any details.

Senior Planner Divatia returned to Commissioner Olevson's question and advised that the unit with 2,947 s.f. requires a deviation that is included as part of the proposed project.

Commissioner Simons asked staff if they worked with the applicant to transition materials at the corners of the units. Senior Planner Divatia advised that the applicant can best address this question.

Chair Rheume opened the Public Hearing.

Samir Sharma presented information about the proposed project.

Commissioner Harrison confirmed with Mr. Sharma that they would reduce the width of the first and second floors to meet the side yard setback if the requested deviation for the second story side yard setback is not approved.

Commissioner Harrison asked the applicant about the offset section of the site plan. Mr. Sharma advised that this was mandated by the Department of Public Works (DPW). Commissioner Harrison clarified with Mr. Sharma that the addition of that space would probably not meet 3,600 s.f. for that unit.

Vice Chair Weiss asked the applicant about the project's previous design. Mr. Sharma stated that they used the original approval as a guideline and then adjusted for current design criteria. Vice Chair Weiss confirmed with Mr. Sharma that only two, two-story homes were considered for the lot.

Commissioner Simons asked the applicant if the lack of consistency in the windows being flush was due to structural reasons. Chad Nguyen, architect, advised that it was a rendering problem on the site plan.

Commissioner Simons confirmed with Mr. Nguyen that the roofing would have open eaves. Commissioner Simons asked about potential visual improvements for the roof. Mr. Nguyen provided background about the roof iterations. Senior Planner Divatia advised that staff felt that modern architecture for the roofline was not as compatible with the neighborhood.

Commissioner Simons asked the applicant if there was consideration to continue the stone face further vertically. Mr. Nguyen advised that they can consider this change. Commissioner Simons confirmed architectural details with Mr. Nguyen.

Commissioner Olevson commented that the garage door should not dominate the front of the house and noted that the stucco material makes the project look industrial. Commissioner Olevson asked the applicant about alternative materials that would blend with the rest of the house. Mr. Nguyen stated that they can consider other materials. Commissioner Olevson asked the applicant to work with staff to implement other materials.

Commissioner Simons commented on the potential to use different colors and a lighter stained wood for the front entryway.

Chair Rheaume confirmed the balcony height with Mr. Nguyen. Chair Rheaume confirmed with Planning Officer Miner that the balcony would have to be removed to meet the front setback and that the existing architecture would need to change to accommodate the balcony removal.

Chair Rheaume confirmed with Senior Planner Divatia that both existing trees will be retained.

Planning Officer Miner provided information regarding the setbacks to Commissioner Howard. Commissioner Howard commented that the rear building looks more appropriate to face the street because the garage and front door are on the same plane.

Mr. Nguyen presented additional information about the proposed project.

Chair Rheaume closed the Public Hearing.

Commissioner Harrison asked staff if a tandem garage was considered to increase the size of the front lot. Senior Planner Divatia advised that this option was not explored. Planning Officer Miner explained the reasons for the difference between lot sizes.

MOTION: Commissioner Simons moved and Commissioner Olevson seconded the motion for Alternative 2 – Approve the Special Development Permit and the Parcel Map subject to modified conditions of approval –

- a. Add PS-2 a) to specify the installation of blocking in bathtub area walls to enable installation of safety bars;
- b. Add PS-2 b) to specify that the exterior color of Unit 1 be changed from beige

stucco to a darker color/mossy green and that the wood trim around the entryway be lightened for accentuation;

c. Add PS-2 c) to specify that all corner fixtures, framing and windows be flush at the building's edges;

d. Add PS-2 d) to specify that the stone for both units extend vertically up to the second story eaves and wrap around as shown in the proposed plans; and,

e. Add PS-2 e) to specify that staff work with the applicant to select a more modern roof design that would still be compatible with the neighborhood.

Commissioner Simons stated that his issues with the proposed project regarding lot size, setbacks and deviations have been addressed. Commissioner Simons stated that hopefully the Planning Commission can accept staff's recommendation with the modified Conditions of Approval.

Commissioner Olevson stated that he can support staff's recommendation except for the removal of the balcony. Commissioner Olevson stated that he can make the findings for the Special Development Permit and Tentative Map and cannot find any criteria on which to reject the proposed project. Commissioner Olevson stated that this area is starting to be redeveloped and stated an opinion that this project will be a nice addition.

Commissioner Howe stated that he will not be supporting the motion because the area is too small for two homes and noted the adjacent small single-family home. Commissioner Howe commented on the existing neighborhood of single-family residences and the substantial number of requested deviations. Commissioner Howe stated an opinion that the proposed project is trying to develop too much housing given the lot size.

FRIENDLY AMENDMENT: Commissioner Howard offered a friendly amendment to allow retention of the balcony on the front unit. Commissioner Simons and Commissioner Olevson accepted the friendly amendment.

Vice Chair Weiss stated that she will not be supporting the motion and noted her discomfort with the project, stating that it is wrong for the site. Vice Chair Weiss stated that she cannot make the findings because the proposed project is not compatible with the neighborhood. Vice Chair Weiss commented on the small lot size and noted that the garage dominates the front of the house instead of the entryway. Vice Chair Weiss stated an opinion that if this project is approved it will not set a good precedent given the requested deviations and other issues.

Commissioner Harrison stated that she will not be supporting the motion because of the requested deviations in conjunction with the lot size. Commissioner Harrison commented that perhaps not all the design options were considered, which could increase the lot size closer to 3,600 square feet.

FRIENDLY AMENDMENT: Chair Rheume offered a friendly amendment to require that the metal framed obscured glass garage doors, framed front glass doors, French doors, hardware on the second floor and brown trim, are completed as shown in the proposed plans. Commissioner Simons and Commissioner Olevson accepted the friendly amendment.

Chair Rheume stated that he will be supporting the motion and commented that the adjacent lots have multiple homes. Chair Rheume stated an opinion that this is a quality design that will be a good addition to the City and will encourage owner occupancy in the City. Chair Rheume stated that he can make the findings. Chair Rheume noted his appreciation of staff's drive to approve better quality projects and commented that designs should find creative solutions and not be piecemealed together.

The motion carried by the following vote:

- Yes: 4 -** Chair Rheume
Commissioner Howard
Commissioner Olevson
Commissioner Simons
- No: 3 -** Vice Chair Weiss
Commissioner Harrison
Commissioner Howe

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.

3. [17-1171](#) **File #:** 2017-7434
 Location: 954 Marion Way (APN: 313-26-065)
 Zoning: R-1
 Proposed Project: **DESIGN REVIEW** for a new two-story single family residence with 4,278 square feet gross floor area (3,844 square feet living area and 434 square feet garage) resulting in 45% Floor Area Ratio (FAR). The existing one story residence is proposed to be

demolished.

Applicant / Owner: Studio 61 Architects (applicant) / Victor O N Salgado (owner)

Environmental Review: A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act (CEQA) provisions. Class 3(a) Categorical Exemptions includes construction of one-single family residence in a residential zone.

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Assistant Planner Aastha Vashist presented the staff report.

Commissioner Olevson commented on the previous annexation from the County and asked staff if City policy requires implementation of sidewalks for new construction. Planning Officer Andrew Miner stated that there are no sidewalks in Raynor Park. Assistant Planner Vashist provided information about the improvements required by the Department of Public Works (DPW) and noted that they did not require sidewalks. Senior Assistant City Attorney Rebecca Moon provided background information about this area and Commissioner Olevson asked for a history of this area to be shared with the Planning Commission in the future.

Chair Rheume opened the Public Hearing.

Applicant Victor Salgado presented images and information about the proposed project.

Commissioner Harrison confirmed with Mr. Salgado that he would be amenable to lowering the first floor plate height from ten to nine feet.

Vice Chair Weiss confirmed with Mr. Salgado that he would consider using more drought tolerant sod.

Joanne Woo, Sunnyvale resident, discussed her concerns with the privacy impacts of the proposed project.

Assistant Planner Vashist stated that high sill windows five feet above floor level will be used to ensure privacy and advised that the second-floor setbacks exceed the minimum requirements on all sides.

Mr. Salgado presented additional information about the proposed project.

Chair Rheume closed the Public Hearing.

Commissioner Howe asked staff how to include more water efficient landscaping if the Planning Commission wanted to request a modification. Planning Officer Miner stated that the applicant completed the water calculations as required by code and meets water efficiency guidelines.

MOTION: Commissioner Howard moved and Commissioner Howe seconded the motion for Alternative 1 – Approve the Design Review with the Conditions of Approval in Attachment 4.

FRIENDLY AMENDMENT: Commissioner Harrison offered a friendly amendment to reduce the first floor plate heights from ten feet to nine feet. Commissioner Howard and Commissioner Howe accepted the friendly amendment.

Commissioner Howard stated that this application conforms to City requirements and that he can make the findings. Commissioner Howard noted his appreciation for the neighbor's concerns regarding privacy and commented on mitigating factors such as the second story window placement and landscaping. Commissioner Howard stated that he will be supporting the motion.

Commissioner Howe explained why this application had to come before the Planning Commission. Commissioner Howe stated that he can make the findings. Commissioner Howe stated an opinion that this is an excellent project and that the applicant has worked well with the neighbors. Commissioner Howe thanked staff and the applicant for addressing any issues before tonight's hearing.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment that the stone wrapping along the bottom of the house be installed as shown in the site plans. Commissioner Howard and Commissioner Howe accepted the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment that staff work with the applicant to install opaque glass and/or plant trees to mitigate privacy concerns. Commissioner Howard and Commissioner Howe accepted the friendly amendment.

Commissioner Simons stated that he will be supporting the motion and can make the findings. Commissioner Simons noted that the application met the threshold

which triggered a public hearing for this item. Commissioner Simons noted his appreciation of the architecture and compatibility with the neighborhood.

Commissioner Olevson stated that he will be supporting the motion. Commissioner Olevson stated an opinion that this project will be a nice addition to the neighborhood and noted his appreciation of the project's design. Commissioner Olevson noted his agreement with the proposed findings that this application meets City standards. Commissioner Olevson commented on the lack of request for deviations and commended the applicant for meeting all City requirements.

Commissioner Harrison stated that with the modified Conditions of Approval she can make the findings regarding the design principles to respect the scale, bulk and character of homes in the adjacent neighborhood and to design homes that respect their immediate neighbors. Commissioner Harrison noted her appreciation of the project.

Vice Chair Weiss stated that she will be supporting the motion. Vice Chair Weiss stated an opinion that this is an excellent project with a quality design and quality materials.

Chair Rheume stated that he will be supporting the motion and can make the findings. Chair Rheume commented that this is a clean project without deviations and a quality design with good symmetry. Chair Rheume stated an opinion that the project will fit well in the neighborhood.

The motion carried by the following vote:

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

No: 0

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. [17-1106](#) Recommend that City Council adopt an ordinance to amend Sunnyvale Municipal Code Section 19.68.040 (Accessory dwelling units) and find that the action is exempt from environmental review pursuant to Public Resources Code 21080.17.

Assistant Planner Shila Behzadiaria presented the staff report.

Planning Officer Andrew Miner commented that the proposed changes are solely to be consistent with the changes to the state law.

Chair Rheume opened the Public Hearing.

Chair Rheume closed the Public Hearing.

MOTION: Vice Chair Weiss moved and Commissioner Howe seconded the motion for Alternative 1 – Make the finding that the action is exempt from CEQA pursuant to Public Resources Code Section 21080.17 and introduce an Ordinance (Attachment 2 to this report) to adopt the proposed amendments to Sunnyvale Municipal Code Section 19.68.040 (Accessory Dwelling Units).

Vice Chair Weiss stated that these changes will clear up any inconsistency with state law and that the clarification will make it easier to implement.

The motion carried by the following vote:

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

No: 0

Planning Officer Miner advised that this item goes to the City Council on February 6th, 2018.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Chair Rheume asked staff how landscaping design takes utilities such as backflow preventers and utility cabinets into consideration. Planning Officer Miner stated that

the design should plan for known utility elements and provided additional background about required standards. Planning Officer Miner advised that staff will scrutinize designs to minimize the visual impact of utilities.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Commissioner Harrison noted her agreement with Chair Rheaume's comments and stated that the utility arrangement can affect pedestrian flow.

Commissioner Simons commented on the use of City control boxes at intersections, the need for corresponding requirements and the impact on vision line requirements.

Commissioner Olevson commented on neighborhoods where parked vehicles adjacent to the vision triangle apex pose an issue for residents pulling out into traffic. Commissioner Olevson asked staff if the Department of Public Works can re-examine the 40-foot line. Planning Officer Miner provided information about the vision triangle and advised that one option is to prohibit parking through signage or red striping within a certain distance of an intersection, on a case by case basis.

-Staff Comments

Planning Officer Miner provided details about the outcome of the Fortinet project that was heard on December 19, 2017 by the City Council and noted that a larger study area was not approved.

Planning Officer Miner advised that the 838 Azure Street project has been called up for review by the City Council and will be heard by the City Council on February 27, 2018.

ADJOURNMENT

Chair Rheaume adjourned the meeting at 8:59 PM.