



City of Sunnyvale

Meeting Minutes - Final Planning Commission

Monday, October 8, 2018

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. [18-0867](#)

Proposed Project:

SPECIAL DEVELOPMENT PERMIT to construct 58 single family homes and associated improvements on 6.1 acres of the 8.8-acre site (agricultural land known as the Corn Palace).

TENTATIVE MAP to subdivide the 8.8-acre site into 60 lots, including a 2-acre public park lot, a private street and 58 single family home lots.

Location: 1142 Dahlia Court (APN's: 213-12-001)

File #: 2017-7451

Zoning: R-1.5/PD

Applicant / Owner: Trumark Homes/ Gabriel Francia Trustee

Project Planner: Shetal Divatia, (408) 730-7628,
sdivatia@sunnyvale.ca.gov

B. [18-0866](#)

Proposed Project:

SPECIAL DEVELOPMENT PERMIT to allow the expansion and renovation of an existing 173-room hotel with the removal of 85 rooms, renovation of 88 rooms and construction of 270 new rooms that results in a 358-room hotel (net new of 185 rooms). The proposed project also includes 18,021 s.f. for meeting areas, 7,313 s.f. for food and beverage services and 8,241 s.f. for spa use, for a total gross floor area of 256,180 s.f. The project would be served by 296 parking spaces (203 spaces in a new 3-level

parking structure) and associated site improvements.

Location: 1100 N. Mathilda Avenue (APN's: 110-27-025)

File #: 2017-8044

Zoning: MPC

Applicant / Owner: DoveHill Capital Mgmt LLC/ Sof-X Sunnyvale
Owner

Project Planner: Shetal Divatia, (408) 730-7628,
sdivatia@sunnyvale.ca.gov

Public Comment on Study Session Agenda Items

Adjourn Study Session

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Howard called the meeting to order at 7:05 PM in the Council Chambers.

SALUTE TO THE FLAG

Chair Howard led the salute to the flag.

ROLL CALL

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

ORAL COMMUNICATIONS

CONSENT CALENDAR

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

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

No: 0

Abstained: 2 - Commissioner Howe
Commissioner Rheaume

1. A [18-0868](#) Approve Planning Commission Meeting Minutes of September 24, 2018

PUBLIC HEARINGS/GENERAL BUSINESS

3. [18-0869](#) **Proposed Project:**

DESIGN REVIEW - Allow a 505-sq. ft. second-story addition and a 151-sq. ft. first-story addition on an existing 2,062 sq. ft. single-story, single-family home resulting in 2,718 sq. ft. (2,174 sq. ft. living area, 431 sq. ft. garage, and 113 sq. ft. covered portion of patio) and 48% FAR.

USE PERMIT for a 7'5" fence along the reducible front yard property line (along Margaret Ct.);

VARIANCE to allow: 9'3" setback for patio columns when 10' is required and 4'11" setback for an AC unit in the reducible front yard when 9' is required.

Location: 902 W. Cardinal Drive (198-11-036)

File #: 2018-7675

Zoning: R-0 (Low Density Residential)

Applicant/Owner: M. Designs Architects, Alpheus Jessup/ Ray and Sinead Murphy

Environmental Review:

- Design Review and Variance for Air Conditioner: Categorically Exempt Class 1(e). Class 1 (e) (1) Categorical Exemptions, Section 15301(e) include additions to existing structures resulting in no more than a 50% increase in floor area.
- Use Permit (fence) Variance (patio): Categorical Exemption Class 3 relieves this project from California Environmental Quality Act (CEQA). Class 3 Categorical Exemptions includes construction of new accessory structures (patio) including fences (CEQA Section 15303 (e)).

Project Planner: Teresa Zarrin, (408) 730-7429,
tzarrin@sunnyvale.ca.gov

Chair Howard confirmed that there were no objections to hearing this item first to

accommodate the applicant's family.

Associate Planner Teresa Zarrin presented the staff report.

Commissioner Harrison confirmed with Associate Planner Zarrin that the requested variances are solely to accommodate the existing rear yard patio, fence and air conditioner and that the applicant is not expanding any of these elements.

Vice Chair Simons confirmed with Associate Planner Zarrin that City staff has recommended a hip roof on the second story. Vice Chair Simons commented on the need to provide architectural continuity within a neighborhood and still maintain differentiating architecture. Associate Planner Zarrin provided information about the unique standing-seam metal roof and consideration given to roof form with second story additions, especially given the single-story nature of the homes in this neighborhood.

Vice Chair Simons asked staff about a change to the garage door colors to deemphasize the garage and provide more balance to the house. Associate Planner Zarrin advised that staff can consider this change.

Commissioner Weiss commented on the potential increased sturdiness of a gable roof. Associate Planner Zarrin advised that both roof types are common and that it is unlikely that one type is more sturdy. Principal Planner Caruso advised that either roof would have to meet California Building Code.

Commissioner Weiss commented that the proposed project is not adjacent to the other two story homes and that it would not be necessary to have this roof blend with those homes. Associate Planner Zarrin advised that staff's intention was to minimize the massing and the proposed project's impact on the streetscape.

Chair Howard opened the Public Hearing.

Chip Jessup, representing M Designs Architects, presented information about the proposed project.

Ray Murphy, applicant, presented information about the proposed project.

Commissioner Harrison confirmed with Mr. Jessup that if gable ends were implemented on the second story the proposed project could still accommodate at

least two solar panels and a smaller skylight. Mr. Jessup provided additional information regarding the rationale for the gable ends.

Vice Chair Simons asked the applicant about modifying the garage so that the darker color is used for the trim. Mr. Jessup stated that this would be fine and provided information about garage alternatives.

Commissioner Rheume confirmed with Mr. Jessup that the darker garage color represents the fog glass. Commissioner Rheume confirmed with Mr. Jessup that they will replace the windows.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Howe moved and Commissioner Rheume seconded the motion for Alternative 2 – Approve the Design Review, Use Permit and Variances with modified conditions –

The applicant can choose the roof type and their choice must meet Building Code requirements.

Commissioner Howe stated an opinion that this is a great project and commented on the impact of the letters submitted by the neighbors in support of their project. Commissioner Howe commented that the applicant has done a thorough job.

Commissioner Rheume stated that he can make the findings. Commissioner Rheume commented that the project has a nice design and will be a good investment in the City. Commissioner Rheume noted that the requested variances are due to existing conditions.

Vice Chair Simons stated that he will be supporting the motion and can make the findings. Vice Chair Simons noted that a glass garage door, potentially frameless, would be a good addition to the proposed architecture. Vice Chair Simons commented on the Silicon Valley modern architecture.

Commissioner Harrison noted her appreciation of the eight-foot plate heights for both stories in conjunction with the gable ends. Commissioner Harrison commented that this will allow for higher ceilings while keeping the plate heights aligned with the neighborhood. Commissioner Harrison stated that she will be supporting the motion.

Commissioner Olevson stated that he can make the findings for the Design Review and noted that the variances should be granted because they are for legal non-conforming items.

Commissioner Weiss stated that she will be supporting the motion and noted her appreciation that the applicant will have their choice of roof type. Commissioner Weiss commented that this design will make the house special and noted that there were no problems that she could identify with the fence, air conditioner unit or patio. Commissioner Weiss stated an opinion that there would be no privacy issues for the adjacent home due to the configuration of the extension.

The motion carried by the following vote:

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

No: 0

Principal Planner Caruso stated that this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

2. [18-0813](#) **Proposed Project: DESIGN REVIEW** to allow a Verizon wireless telecommunications facility on an existing utility pole located in the public right-of-way.
Location: In the public right-of-way on south side 1055 Dunford Way (APN 313-10-004) southwest of the intersection at Quail Avenue and Dunford Way and adjacent to the Raynor Park baseball diamond.
File #: 2018-7412
Zoning: PF (Public Facility)
Applicant / Owner: Verizon Wireless C/O The CBR Group / City of Sunnyvale
Environmental Review: Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that includes installation of small new equipment and facilities in small structures (CEQA Guidelines Section 15303).
Project Planner: Cindy Hom, (408) 730-7411, chom@sunnyvale.ca.gov

Associate Planner Cindy Hom presented the staff report.

Vice Chair Simons confirmed with Associate Planner Hom that the applicant would be responsible for maintenance of the proposed landscaping. Vice Chair Simons noted his concerns and asked staff about the potential for the City to manage the landscaping. Principal Planner Gerri Caruso stated that the intent of the Condition of Approval (COA) is that the applicant would be responsible for landscaping maintenance and that staff can coordinate with the appropriate City department.

Chair Howard opened the Public Hearing.

Mark Peters, representing the CBR Group and Verizon Wireless (Verizon), presented images and information about the proposed project.

Daniel Ro, representing Hammett & Edison, presented information about the proposed project.

Vice Chair Simons asked the applicant if Verizon has an artwork program for their equipment cabinets. Mr. Peters noted his uncertainty about this possibility because the proposed equipment cabinet does not have solid panels.

Commissioner Weiss commented that per the COA all facilities and related equipment must be kept in good repair. Commissioner Weiss confirmed with Mr. Peters that the phone number listed on the caution sign would be the correct way to inform Verizon of vandalism or disrepair.

Commissioner Harrison asked the applicant how the antennae will be textured. Mr. Peters advised that the antennae will be painted to match the wood grain but not textured.

Commissioner Harrison confirmed with Mr. Peters that adjacent landscaping would not impact the equipment cabinet's passive cooling system. Commissioner Harrison asked the applicant about the landscaping installation and irrigation. Mr. Peters stated that Verizon is unable to utilize existing irrigation systems but that they would hire a contractor for the installation.

Commissioner Howe asked staff if the City has the authority to dictate that the applicant install and maintain landscaping. Senior Assistant City Attorney Rebecca

Moon stated an opinion that it would be reasonable to require Verizon to install the landscaping in coordination with the City but not to maintain it since Verizon does not have a landscaping program. Commissioner Howe confirmed with Principal Planner Caruso that the COA does not include approval by a City department. Commissioner Howe confirmed with Mr. Peters that they are amenable to coordinating with the appropriate City department.

Karen Eung, Sunnyvale resident, asked about the purpose of adding the antennae, the associated technology and the availability of use by other wireless carriers. Mr. Peters provided information about the proposed project and noted that this wireless telecommunications facility could be used by another carrier in the event of calling 911 when without network connectivity. Ms. Eung noted her concern regarding potential long term health hazards for her family.

Mr. Ro presented additional information about the proposed project.

Chair Howard commented that the Federal Communications Commission (FCC) has the final authority on the safety of telecommunications facilities.

Vice Chair Simons asked staff about modifying the landscaping COA. Principal Planner Caruso stated that it could be modified to include coordination with the appropriate City department, as feasible.

Commissioner Harrison asked staff about texturing the antennae. Associate Planner Teresa Zarrin stated that this has not been done before and may not provide additional visual mitigation.

Commissioner Harrison confirmed with Principal Planner Caruso that staff would work with the applicant and the appropriate City department to determine a landscaping solution, as feasible.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Howe moved and Commissioner Simons seconded the motion for Alternative 2 – Approve the Design Review with modified conditions –

The appropriate City department will work with the applicant to ensure that sustainable landscaping is reasonably implemented, as feasible.

Commissioner Howe stated that he can make the findings. Commissioner Howe noted that the City does not have the final authority for telecommunications facilities and that the best course of available action is to install landscaping that can be maintained by the City.

FRIENDLY AMENDMENT: Vice Chair Simons offered a friendly amendment to specify that the antennae will be painted a deep earth color, as described by the applicant. Commissioner Howe accepted the friendly amendment.

Vice Chair Simons stated that it would be disappointing if the City did not maintain the landscaping that Verizon will install, since it would be an improvement to the proposed project. Vice Chair Simons highly recommended installation of the landscaping and noted that if an art program was available that would have been a good alternative since it does not require the same level of maintenance.

FRIENDLY AMENDMENT: Commissioner Harrison offered a friendly amendment to remove the “textured” antennae requirement as outlined in the COA. Commissioner Howe and Vice Chair Simons accepted the friendly amendment.

The motion carried by the following vote:

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

No: 0

Principal Planner Caruso stated that this decision is final unless appealed to the City Council within 15 days or called up by the City Council within 15 days.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Commissioner Howe asked staff to provide a study issue form if such a document exists.

Commissioner Harrison asked staff about the review process for study issues

proposed by the Planning Commission. Administrative Aide Katherine Hall provided information about the upcoming study issue process. Commissioner Harrison commented that sometimes there is a misunderstanding with the intention of proposed study issues. Administrative Aide Hall advised that staff will try and provide rough drafts of the study issue papers to the Commissioners who proposed them.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Chair Howard noted that per their pediatrician flu shots are pertinent due to the high incidence of the flu.

-Staff Comments

Principal Planner Caruso provided information about the approval of the Civic Center Modernization Master Plan and certification of the Program Environmental Impact Report (EIR), as well as the granting of the appeal for the proposed project at 1441 Norman Drive by the City Council.

Commissioner Harrison noted that the Accessory Dwelling Unit (ADU) for 1441 Norman Drive was internal and commented on the discussion by the City Council of potentially adjusting the Floor Area Ratio (FAR) when an ADU is also being considered. Commissioner Harrison proposed a study issue to amend the FAR when an ADU is being considered, as an addition or new build, so that the FAR threshold for Planning Commission review is examined. Commissioner Harrison commented that other cities use a 10% differential to increase the FAR threshold from 45% to 55%.

Chair Howard noted that he may propose a study issue to examine modifying the residential zoning code to allow for more housing.

ADJOURNMENT

Chair Howard adjourned the meeting at 8:08 PM.