

VESTING TENTATIVE PARCEL MAP to merge ten existing lots into one.

Environmental Review: The project is consistent with the Land Use and Transportation Element (LUTE) of the City's General Plan and no additional environmental review is required pursuant to CEQA Guidelines Section 15183 and Public Resources Code Section 21083.3.

Reason for Permit: A Design Review permit is required for new construction of a permitted land use. A Vesting Parcel Map is required to merge the existing lots.

Project Planner: George Schroeder, (408) 730-7443, gschroeder@sunnyvale.ca.gov

Issues: Traffic

Recommendation: Approve with conditions

Ms. Caruso inquired if George Schroeder, project planner, had any comments or changes to the staff report.

Mr. Schroeder stated there are changes to the findings and conditions of approval.

Ms. Caruso opened the hearing to the applicant.

Larry Burnett, applicant, stated he has read the report and the updated conditions of approval. Mr Burnett stated Fortinet was founded in Sunnyvale in 2000. Mr. Burnett thanked city staff from the building, public works, traffic, fire, and planning departments with the help in developing the project.

Ms. Caruso inquired if Mr. Burnett understood that staff took the actions for the city to do out of the mitigation plan and put them in the conditions of approval for the applicant to do.

Mr. Burnett stated he understood.

Ms. Caruso opened the hearing to the public.

Michele Auman, applicant, stated she would like the verbiage in Finding 10 to state the applicant will comply with the recommendations of the TOA, including providing funding for the cost of design and construction of a new traffic signal, as implemented by condition of approval no. EP-36.

Seeing no members of the public in attendance, Ms. Caruso closed the hearing to the public.

ACTION: Approved subject to the findings and conditions of approval located in the staff report with the following changes in the California Environmental Quality Act findings:

- 1) Finding no. 10: The applicant will comply with the recommendations of the TOA, including providing funding for the cost of design and construction of a new traffic signal, as implemented by condition of approval no. EP-36.
- 2) Finding no 12. C) As applied to the Project, uniformly applied development policies or standards previously adopted by the City, including without limitation LUTE Policy LT-3.24 and Council Policy 1.2.2., would substantially mitigate the impact of the project on the intersection of Kifer Road and Commercial Street.

Additional clarifications and changes to the Conditions of Approval in the staff report as stated below:

Condition of approval GC-2 clarification of design review approval.

Condition of approval GC-6 clarifies the existing permits apply for 899 Kifer Road are still in effect.

Condition GC-13 ties the recordation of the parcel map to the fine grading for the building permitting issuance.

Condition PS-3 has been taken out.

Condition MM-1 clarifies the applicable mitigation measures.

Condition BP-32 clarifies language for the vapor intrusion mitigation system to be consistent with the water boards language.

Condition BP-35 and ties the recordation of parcel map to the fine grading or building permit.

Conditions BP-37 and BP-38 have been added to pull out some mitigation measures from the land use and transportation element to make clear what the applicant should do. This is in relation to noise and dust control. Condition EP-36 adds the cost of the installation of a new traffic signal installation where the city will take in funds for a new traffic light at Commercial Street and Kifer Road, not to exceed \$1.8 million.

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File #: 2018-7479

Location: 904 Caribbean Drive (APN: 110-37-001)

Applicant / Owner: Cepheid (applicant) / Terreno Caribbean Llc (owner)

Proposed Project:

SPECIAL DEVELOPMENT PERMIT to add a canopy to the recycling and trash facility, resulting in 46.6% lot coverage, where 45% is the maximum allowed. A deviation is also requested from

the parking requirement with 259 spaces are provided, where a minimum 278 spaces are required.

Reason for Permit: A minor Special Development Permit (SDP) is required for a deviation from the minimum lot coverage requirement.

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

Issues: Compatibility

Recommendation: Approve with conditions

Ms. Caruso inquired if Aastha Vashist, project planner, had any comments or changes to the staff report.

Mrs. Vashist stated there were no changes nor were there any comments from members of the public.

Ms. Caruso opened the hearing to the applicants and inquired if they had a chance to read the report and the conditions of approval.

Fred Ehlers, applicant, stated he did read the report and had no other comments other than to say that Cepheid has been at the location for almost twenty years and the application is part of the recycling compliance.

Ms. Caruso opened the hearing to members of the public. Seeing on one in attendance, Ms. Caruso closed the hearing to the public and inquired of the applicants had any closing comments.

Michelle Chadwick, applicant, stated she appreciated staff's help.

ACTION: Approved subject to the findings and conditions of approval located in the staff report.

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File #: 2018-7784

Location: 1233 Reamwood Ave (APN: 104-58-008)

Applicant / Owner: India Heritage Foundation / Tasman Drive LLC

Proposed Project:

USE PERMIT to allow the expansion of a religious and cultural place of assembly (India Heritage Foundation), located at 1235 Reamwood Avenue, into an adjacent tenant space.

Reason for Permit: A Use Permit is required for the expansion of a previously approved place of assembly use.

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

Issues: Use Permit Compliance, Parking

Recommendation: Approve with conditions

Ms. Caruso inquired if Ryan Kuchenig, project planner, had any comments or changes to the staff report and if the 1233 and 1234 Reamwood Ave on property.

Mr. Kuchenig stated the addresses are located in one building. Mr. Kuchenig clarified a previous Neighborhood Preservation case based on the assumption the applicants were operating a restaurant without permits however there was no such history of such activities. Mr. Kuchenig went on to clarify new language to condition GC-11 as requested by the building owner that the use of the kitchen will not be used as a restaurant and more specifics of the food facilities in general that ties it to the health and safety code. This agreement was agreed upon by the applicant/tenant and the property owner.

Ms. Caruso opened the hearing to the applicants and inquired if they had a chance to read the report and the conditions of approval.

Vijay Datt, applicant, stated he did read the report and did not have any comments.

Ms. Caruso opened the hearing to the public.

Bill Xu, neighbor, stated he lives very close to the applicant property and is concerned with the noise levels of activities at the site.

Ms. Caruso clarified with Mr. Xu that he had concerns for the property overall and not the the applicant's use of the building.

Mr. Xu stated UPS at the address is troublesome since it goes on at all times of day and is especially noisy at night.

Ms. Caruso stated staff will follow up with the city's Neighborhood Preservation code enforcement unit about the complaint and see if there is anything that rises to the level of a violation.

Mr. Datt stated he also is troubled by the noise from UPS.

Seeing no other members of the public in attendance, Ms. Caruso closed the hearing.

ACTION: Approved subject to the findings and conditions of approval located in the staff report with the following changes:

1) Revision to condition GC-11 to clarify restriction of food on site.

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File #: 2018-7810

Location: 1260 N Mathilda Avenue (APN: 110-25-051)

Applicant / Owner: Bloomenergy (applicant) / JSR Micro Inc (owner)

Proposed Project:

VARIANCE to allow installation of mechanical equipment (Bloomenergy servers and other ancillary equipment) between the face of the building and the street.

Reason for Permit: A Variance is required for mechanical equipment proposed to be located between the face of the building and the street, per Sunnyvale Municipal Code Section 19.48.100 (Mechanical equipment - Setback requirements).

Project Planner: Kelly Cha, (408) 730-7408, kcha@sunnyvale.ca.gov

Recommendation: Approve the Variance with Conditions of Approval.

Ms. Caruso inquired if Kelly Cha, project planner, had any comments or changes to the staff report.

Ms. Cha stated there were no changes nor were there any comments from members of the public.

Ms. Caruso opened the hearing to the applicants and inquired if they had a chance to read the report and the conditions of approval.

Brian Curtis, applicant, stated he did read the report and mentioned the submitted drawings for the permit included only two sides of the mechanical equipment however the next round of submissions will include three sides.

Seeing no members of the public in attendance, Ms. Caruso closed the hearing to the public.

ACTION: Approved subject to the findings and conditions of approval located in the staff report.

ADJOURNMENT

Ms. Caruso adjourned the hearing at 3:24 p.m.