



# City of Sunnyvale

## Meeting Minutes - Final Planning Commission

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Monday, July 22, 2019

6:00 PM

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

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

### **6:00 PM STUDY SESSION**

#### **1 Call to Order in the West Conference Room**

#### **2 Roll Call**

#### **3 Study Session**

- A.     [19-0724](#)     City Hall Schematic Design Presentation for Comment and Input
- B.     [19-0757](#)     **Proposed Project:**    Facade modifications to a previously-approved hotel, approved under 2016-7521.  
                          **Location:** 1120 Innovation Way (APN: 110-27-027)  
                          **File #:** 2019-7496  
                          **Zoning:** MPI (Moffett Park Industrial)  
                          **Applicant / Owner:** DES Architects + Engineers (Applicant) / Moffett Place LLC (Owner)  
                          **Environmental Review:** The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (a)  
                          **Project Planner:** Margaret Netto, (408) 730-7628, [mnetto@sunnyvale.ca.gov](mailto:mnetto@sunnyvale.ca.gov)

#### **4 Public Comment on Study Session Agenda Items**

#### **5 Adjourn Study Session**

### **7:00 PM PLANNING COMMISSION MEETING**

#### **CALL TO ORDER**

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

**SALUTE TO THE FLAG**

Chair Howard led the salute to the flag.

**ROLL CALL**

- Present:** 5 - Chair Daniel Howard  
Commissioner John Howe  
Commissioner Sue Harrison  
Commissioner Ken Rheaume  
Commissioner Carol Weiss
- Absent:** 2 - Commissioner Ken Olevson  
Vice Chair David Simons

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

Status of absence; Vice Chair Simons's absence is excused.

**ORAL COMMUNICATIONS****CONSENT CALENDAR****PUBLIC HEARINGS/GENERAL BUSINESS**

2.        [19-0557](#)        **Proposed Project:**    General Plan Amendment Initiation request to study changing the General Plan designation from Commercial to Medium Density Residential on a 2.3 acre site (Sunnyvale Lumber)  
**Location:** 870 W. Evelyn Street (APN:165-16-004)  
**File #:** 2019-7298  
**Zoning:** C4 (Service Commercial)  
**General Plan:** Service Commercial  
**Applicant / Owner:** Trumark Homes  
**Environmental Review:** The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a).  
**Project Planner:** Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov

Project Planner Margaret Netto presented the staff report.

Commissioner Rheaume confirmed with Project Planner Netto that the prior General Plan Amendment Initiation (GPI) request for property located along Evelyn Avenue between Mary Avenue to Bernardo Avenue is currently zoned as M-S, Industrial and

Service. Commissioner Rheame also confirmed with staff that the first four recommended alternatives for this proposal would take the same amount of time to study.

Commission Harrison confirmed with Project Planner Netto that it was the applicant who did not pursue the prior GPI for property located along Evelyn Avenue between Mary Avenue and Bernardo Avenue.

Commissioner Weiss asked if any other commercial projects have been proposed for the site. Assistant Director Andrew Miner stated that there are not, but that the current business is still in operation and the property may not be on the market.

Chair Howard asked what the different is between C-4 and C-3 zoning. Project Planner Netto stated that C-4 is light industrial that involves bulk sale operations such as building construction materials and custom fabrications. Chair Howard confirmed with Project Planner Netto that the 2014 GPI was to change the properties along Evelyn Avenue between Mary Avenue to Bernardo Avenue area from industrial to R-3 zoning and that this GPI application is just for 870 W. Evelyn Avenue. He asked if placing a C-4 zone next to single family housing would be done at this time. Assistant Director Miner stated that it is typical in the past to have industrial and commercial areas next to train tracks to provide buffers for nearby housing but that has changed. Chair Howard confirmed with Assistant Director Miner that C-4 has lower transportation demands and that the city has a need for the C-4 businesses that serve the community. Assistant Director Miner added that charter schools, private schools, and public facilities would not be allowed in a C-4 zone.

Chair Howard opened the Public Hearing.

Garrett Hinds, Director of Architecture representing applicant Trumark Homes, presented images and information about the proposed project.

Javier Carbajal, resident of Sunnyvale, stated his concerns with parking if the area were to be re-zoned to residential and stated his wish for the streets and sidewalks in his neighborhood to be improved.

Gail Maloof, resident of Sunnyvale, stated that she wants staff to understand the nearby residents' needs, communicate with the residents, and notify them of the hazardous materials at Sunnyvale Lumber.

Assistant Director Miner stated that residents can participate further as the GPI will be heard by the City Council on August 13, 2019, and if the City Council initiates the General Plan change, then the applicant will file an application for a General Plan amendment and then for a project.

Mari De Waal, resident of Sunnyvale, stated her concerns with noise, parking, traffic, and a lack of privacy that new residential development would create in her neighborhood.

Richard Mehlinger, Chair of the Bicycle and Pedestrian Advisory Commission speaking on his own behalf, spoke in support of the GPI request and encouraged the Commission to approve initiating the study as it would lead to much-needed housing next to transit.

Xiaoyan Li Yen, resident of Sunnyvale, spoke in opposition to the GPI request that would change her neighborhood to a higher density designation leading to traffic, parking, safety, and privacy concerns.

Yi-Liu Chao, resident of Sunnyvale, spoke in opposition to the GPI request and its re-zoning that would create parking and traffic issues in her neighborhood and stated her concern that the Caltrain route would not service the proposed residential development.

Jocelyn Garcia-Thome, resident of Sunnyvale, spoke in opposition to the GPI request, stating that she prefers the mixed, inclusive nature of her neighborhood and supports staff's decision to not initiate the GPI study.

Vani Mocharla, resident of Sunnyvale, spoke in opposition to the GPI request, citing concerns with traffic and her child's safety.

Judy Manuel, resident of Sunnyvale, spoke in opposition to the GPI request, noting possible issues with increases in traffic and crime that would impact her walk to transit and her family's child care business.

Anita Manuel, resident of Sunnyvale, spoke in opposition to the GPI request that would make it more difficult for her day care families to park and decrease the safety of the children when they are outside.

Mr. Hinds presented additional information about the proposed GPI request.

Chair Howard closed the Public Hearing.

Commissioner Harrison asked staff for the status of housing as outlined in the Housing Element of the Sunnyvale General Plan. Assistant Director Miner stated that staff is on target to meet the residential unit goals as specified in the General Plan with 5,000 residential units that are either approved or in the building plan check or construction phases and that staff is considering more housing than what the General Plan recommends in the areas of the El Camino Real Precise Plan, Lawrence Station Area Plan, and Moffett Park Specific Plan. Commissioner Harrison confirmed with Assistant Director Miner that this is the only C-4 zone in the city where only certain business types can operate.

Commissioner Rheume asked staff to explain what each alternative entails. Assistant Director Miner stated that staff usually recommends studying different options and that a motion can specify other options, and added that adding options increases the time to complete the study. Assistant Director Miner reiterated the types of businesses that can operate in a C-4 zone that are a mix of commercial and industrial.

Commissioner Harrison asked staff when the Caltrain grade separation at Mary Avenue would take place. Assistant Director Miner stated that the Department of Public Works is studying the possible impacts including the effects on traffic and reviewing different options but none extend all the way to Sunset Avenue. Commissioner Harrison asked Assistant Director Miner how staff would prioritize the GPA if it were approved by the City Council. He responded that there are other efforts by staff to add residential opportunities at area plans near transit significantly larger than the proposal, so this request would be a lower priority.

Chair Howard asked staff if changing the zoning along Muender Avenue from C-4 to R-2 requires a GPI request or just a zoning change. Assistant Director Miner stated that the General Plan would need to be changed.

MOTION: Commissioner Harrison moved and Commissioner Weiss seconded the motion for Alternative 5 - Do not initiate the General Plan Amendment study. Commissioner Harrison supports the motion citing the amount of new housing occurring in the city, the need for the service commercial business to be available to the community, staff's workload, and concern that the Caltrain grade separation will

inevitably alter the neighborhood's character.

Commissioner Weiss stated that the motion is in line with the Land Use and Transportation Element of the General Plan and is supportive of economic development and a land use that creates a balanced and diverse community. She urged the Commissioners to support the motion, stating that the community appreciates the businesses there and that the nearby businesses may also disappear if the area were to be re-zoned.

Commissioner Rheume stated that he usually prefers recommending studying issues if not just for the information they provide but that he will support the motion because the area is the only C-4 zone left in the city and it may provide other land use opportunities in the future. He thanked staff for facilitating the large amount of new housing that has been added to the community and encouraged the Commissioners to support the motion.

Chair Howard stated that he will support the motion in part because the Commission did not approve the a previous GPI request in Peery Park for adding housing due to staff time constraints. Chair Howard also stated he would have preferred a wider study area and avoid potential spot zoning, that the C-4 zoning is complementary to the neighborhood and the traffic pattern, and that people in the neighborhood chose to live near a lumber yard as opposed to a higher density residential development.

The motion carried by the following vote:

**Yes:** 5 - Chair Howard  
Commissioner Howe  
Commissioner Harrison  
Commissioner Rheume  
Commissioner Weiss

**No:** 0

**Absent:** 2 - Commissioner Olevson  
Vice Chair Simons

Assistant Director Miner stated that this recommendation will be forwarded to the City Council for consideration at the August 13, 2019 meeting.

3. [19-0529](#) **Proposed Project:** General Plan Amendment Initiation request to study changing the General Plan designation of the site from Low Medium Density Residential to High Density Residential.

**Location:** 828 Morse Avenue & 560 E. Ahwanee Avenue (APN: 204-08-027 & 204-08-029)

**File #:** 2019-7301

**Zoning:** R-3/PD

**Applicant / Owner:** FNZ Architects Inc. (applicant) / Sia Vassoughi (owner)

**Environmental Review:** The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a).

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

Assistant Director Andrew Miner presented the staff report.

Commissioner Weiss asked if all the current tenants would be transitioned to the new housing once it is available. Assistant Director Miner stated that if City Council approves initiating the General Plan Amendment, Planning and Housing staff would work with the Office of the City Attorney at how to ensure that happens.

Commissioner Rheume confirmed with Assistant Director Miner that there are 124 housing units at the current site and the proposed development would produce a total of 193 housing units after potential state density bonuses, a gain of 69 units. Commissioner Rheume confirmed with Assistant Director Miner that the proposed development could provide up to 60 Below Market Rate (BMR) units.

Chair Howard asked about the small piece of land off Carolina Avenue and between the single-family homes and the GPI request area. Assistant Director Miner stated that he believes the land belongs to the nearby mobile home park and not the owner applying for the GPI request.

Chair Howard opened the Public Hearing.

Queen Mein Foo, architect representing applicant FNZ Architects, presented information about the GPI request.

Commissioner Howe confirmed with Ms. Foo that the development is proposed to be zoned as R-4 and being rebuilt to add more units. Commissioner Howe asked Ms. Foo if the relocated BMR tenants would need to move several times as the construction phases take place. Ms. Foo responded that the owner needs to establish a plan for the residents but that intends to keep as many of the existing

tenants as possible.

Commissioner Howe asked staff how the construction phasing could accommodate as many BMR tenants as possible and minimize the number of times they would need to relocate. Assistant Director Miner stated that the development agreement would probably be necessary with the goal to maintain housing for as many of the existing tenants as possible, adding that all the affordable housing units cannot be in one building.

Commissioner Howe confirmed with Assistant Director Miner that a development agreement would address how the BMR tenants could be housed during the first phase of construction and then moved to the affordable housing units as they become available.

Commissioner Harrison confirmed with Ms. Foo that the conceptual development plan includes outdoor play areas.

Commissioner Harrison asked staff what percentage of affordable housing units a developer needs to provide in order to receive the state density bonus. Senior Assistant City Attorney Rebecca Moon responded that there is a sliding scale that determines the density bonus amount depending on how many moderate, low, and very low income affordable housing units are provided. Commissioner Harrison confirmed with

Assistant Director Miner that it is unlikely that more than half of the development would be dedicated to affordable housing. Senior Assistant City Attorney Moon stated that depending on a rental or for sale property, typically 5-20% of a development is dedicated to affordable housing in conjunction with a density bonus and anything greater normally requires public support to be financially viable.

Blanca Quiteno, resident of Sunnyvale, stated her interest in seeing an outdoor play area and better parking as part of the new development and expressed her desire to be kept informed throughout the process.

Commissioner Howe and Assistant Director Miner explained the process if the City Council approves the GPI. Assistant Director Miner stated that a series of outreach meetings would be held if the initiation moves forward where the community's questions would be addressed.

Yann-Herng Liu, resident of Sunnyvale, stated his concern with a potential increase in traffic on Ahwanee Avenue from the proposed development's additional housing units and the loss of privacy the nearby single family homes would experience with a multi-story development.



Pedro Ortega, resident of Sunnyvale, stated that he would prefer to stay at the site and live in the new development or receive assistance to move and avoid living there during the construction.

Chair Howard confirmed with Mr. Ortega that the current residents have month-to-month leases. Assistant Director Miner stated that the City can connect residents to Project Sentinel, a non-profit organization that provides information and dispute resolution services regarding housing.

Richard Mehlinger, Chair of the Bicycle and Pedestrian Advisory Commission speaking on his own behalf, praised the owner for working towards keeping as many of his existing tenants as possible. He stated that any new development on the site should guarantee housing at the current rental rates for all existing tenants and that it is the City's responsibility to ensure that no residents are displaced.

Rick Hosey, a resident near the subject property, stated his interest in the new development providing adequate parking as cars are currently overflowing into the streets because of the current site's inadequate parking.

Behrooz Nemati, architect representing applicant FNZ Architects, presented additional information about the GPI request.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Howe moved and Commissioner Weiss second the motion for Alternative 1 with conditions - Recommend that the City Council: Initiate the GPI request to analyze changing the land use designation from Low Medium Density to Medium or High Density Residential for the subject properties located at 828 Morse Avenue and 560 E. Ahwanee Avenue, provided an application for a Development Agreement is filed at the same time as the General Plan Amendment application. Applicant to pay all application fees and for any studies.

1. Direct staff to include a study for how to maximize the opportunities for current residents to move on site with the goal of reducing the number of times they would relocate.

Commissioner Howe stated that he likes the GPI request and that it is great that the owner plans to modernize the housing for the existing tenants which will be a benefit

to the residents, city, and surrounding area.

Commissioner Weiss stated that studying the possible change in land use is reasonable given that the existing development is legal non-conforming. She also stated that if the GPA initiation is approved and the site is developed according to the applicant's plans, the site would set a precedence for other developers to recognize the importance of maintaining existing residents. She urged the Commissioners to support the motion.

Commissioner Rheume stated that he will support the motion because of the usefulness of at least studying the possible re-zoning. He added that he is pleased that the owner has promised to accommodate the existing residents as much as possible but cautioned against promising them too much at this stage.

Chair Howard stated that he will support the motion and that he appreciates Commissioner Howe and staff's efforts to ensure that the developer agreement is as fair and equitable as possible for the existing tenants.

The motion carried by the following vote:

**Yes: 5 -** Chair Howard  
Commissioner Howe  
Commissioner Harrison  
Commissioner Rheume  
Commissioner Weiss

**No: 0**

**Absent: 2 -** Commissioner Olevson  
Vice Chair Simons

Assistant Director Miner stated that this recommendation will be forwarded to the City Council for consideration at the August 13, 2019 meeting.

4. [19-0703](#) Forward a recommendation to City Council to Adopt a Resolution to Adopt the Climate Action Playbook, including the greenhouse gas reduction targets, Make the Findings Required by CEQA and Accept the Addendum to the LUTE EIR.

Director Ramana Chinnakotla and Environmental Programs Manager Nupur Hiremath presented the staff report.

Commissioner Harrison stated that the Climate Action Playbook (CAP) is like the Land Use and Transportation Element in terms of vision and guidance for the city. She asked for the recommendation a previous commission made to revise the title of Play 3.1 that would provide more specific, long-term guidance to the Commission in the areas of decarbonizing transportation and sustainable land use.

#### Environmental Programs

Manager Hiremath stated that the revised language proposed by the CAP 2.0 Advisory Commission and the Sustainability Commission for Play 3.1 is "enhance colocation of different land uses to reduce vehicle miles per person".

Commissioner Weiss noted that the Sustainability Commission and the Bicycle and Pedestrian Advisory Commission (BPAC) recommended a change to a 20% reduction in vehicle miles traveled (VMT) by 2030 and a 40% reduction in VMT by 2050 but that the guidance was not included in the staff report. Environmental Programs Manager Hiremath stated that the slide presentation included the other Commissions' recommendations because they could not be included in the staff report in time. Commissioner Weiss confirmed with Director Chinnakotla that the Commission can support Alternative 3 and then specify what Commissions' recommendations it endorses.

Commissioner Howe asked staff to explain Play 1.3. Environmental Programs Manager Hiremath stated that the storage refers to utility scaled storage and local storage taken off the grid or generated by solar power. She added that the goal for Play 1.3 is resilience.

Chair Howard asked staff to explain the meaning of sustainable land use. Environmental Programs Manager Hiremath stated that the CAP envisions it as mixing of different types of land uses with the ultimate goal of reducing VMT. Chair Howard asked if Move 3.B aims or should aim to review the minimum parking requirements. Environmental Programs Manager Hiremath and Director Chinnakotla stated that it could involve that strategy as long as the goal is to reduce VMT. He asked how Move 3.A would be implemented and Environmental Programs Manager Hiremath stated that the Housing Element would guide the development. Director Chinnakotla and Environmental Programs Manager Hiremath clarified that the moves are only inspired by the community's ideas and that the moves would be implemented. Chair Howard confirmed with Environmental Programs Manager Hiremath that language could be proposed so that Move 3.A reads more like Idea 45.

Commissioner Weiss stated that she would like to significantly expand the city's urban tree canopy for Move 4.F because a recent study showed that tree planting is a major factor in combating climate change.

Director Chinnakotla stated that the CAP does not specify tree planting targets since the existing trees in the city have not been studied but that she can recommend a change to Move 4.F with a motion.

Chair Howard and Commissioner Weiss confirmed with Director Chinnakotla and Environmental Programs Manager Hiremath that the Department of Public Works oversees trees on public land, the Community Development Department oversees trees on private land, and that the Sunnyvale Urban Forest Advocates is active.

Chair Howard opened the Public Hearing.

Chair Richard Mehlinger, speaking on behalf of BPAC, stated that his Commission has recommended adopting the CAP with amendments to reduce VMT and prioritize Moves 3.A, 3.B, and 3.E for the overall purpose of fighting climate change. He urged the Commission to support a reduction in VMT.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Harrison moved and Commissioner Weiss seconded the motion for Alternative 3 (Other recommendations provided by the Commission) - Adopt the Climate Action Playbook with the following conditions:

1. Endorse the modifications as recommended by the CAP 2.0 Advisory Committee, Sustainability Commission, and BPAC;
2. Enact policies to promote infill development by increasing density in residential neighborhoods for Play 3.1, Move 3.A;
3. Reform residential parking requirements to reduce VMT for Play 3.1, Move 3.B;
4. Develop a plan to significantly expand the urban tree canopy to maximize carbon sequestration for Play 4.3, Move 4.F; and
5. Revise Play 3.1 to include language similar to "enhance collocation of different land uses to reduce VMT".

Commissioner Weiss stated that it is everyone's responsibility to take bold action during this critical time in the planet's history.

Chair Howard stated that he will support the motion and that this is a grave point in

our history where human extinction is a possibility and it is important that we give the best future to those who will come after us. He expressed his appreciation for all the efforts the City is making to lead on the issue as it is very important to him.

Commissioner Rheume thanked everyone involved in developing the CAP and added that he will support the motion.

The motion carried by the following vote:

**Yes:** 5 - Chair Howard  
Commissioner Howe  
Commissioner Harrison  
Commissioner Rheume  
Commissioner Weiss

**No:** 0

**Absent:** 2 - Commissioner Olevson  
Vice Chair Simons

Chair Howard stated that this recommendation will be forwarded to the City Council for consideration at the August 13, 2019 meeting.

**5. [19-0790](#) Selection of Chair**

Chair Howard opened the Public Hearing.

Richard Mehlinger, Chair of the Bicycle and Pedestrian Advisory Commission (BPAC), stated that staff advised at the last BPAC meeting that members not present could be nominated but could not vote for themselves.

Chair Howard closed the Public Hearing.

Chair Howard was re-selected as Chair for the Commission.

**6. [19-0791](#) Selection of Vice Chair**

Vice Chair Simons was re-selected as Vice Chair for the Commission.

**7. [19-0792](#) Selection of Seats**

Seats were selected by the Commissioners to remain the same.

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

None.

**NON-AGENDA ITEMS AND COMMENTS****-Commissioner Comments**

None.

**-Staff Comments**

Assistant Director Andrew Miner stated that the City Council heard Updates to the Design Criteria for Wireless Telecommunication Facilities in the Public Right-of-Way on July 16, 2019 and approved the adoption of the resolution and on July 30, 2019 the City Council will consider the Public Engagement Plan for the Fremont Corners Village Center which includes the recommendation to incorporate the property north of Fremont Avenue.

**ADJOURNMENT**

Chair Howard adjourned the meeting at 10:03 PM.