



**APPROVED MINUTES
SUNNYVALE PLANNING COMMISSION
AUGUST 12, 2013
456 W. Olive Avenue, Sunnyvale, CA 94086**

7:00 PM - Study Session - West Conference Room

1. **FILE #:** 2013-7522
Location: 435 Toyama Drive (APN 110-14-057)
Proposed Project: SPECIAL DEVELOPMENT PERMIT TO allow 18 Townhouse units, and TENTATIVE MAP for 18 Townhouse units and one Common Lot in an M-S/ITR/R-3/PD Zone
Applicant/Owner: Classic Communities
Environmental Review: Categorical Exemption
Staff Contact: David Hogan, (408) 730-7659, dhogan@sunnyvale.ca.gov
2. **Public Comment** on Study Session Agenda Items (5 minutes)
3. **Comments** from the Chair (5 minutes)
4. **Adjourn Study Session**

8:00 PM - Public Hearing – Council Chambers

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

Members Present: Chair Maria Dohadwala; Vice Chair Russell W. Melton; Commissioner Bo Chang; Commissioner Glenn Hendricks; Commissioner Gustav Larsson; and Commissioner Ken Olevson.

Members Absent: Commissioner Kolchak (excused).

Staff Present: Trudi Ryan, Planning Officer; Shaunn Mendrin, Senior Planner; Kathryn Berry, Senior Assistant City Attorney; and Cristina Pfeffer, Staff Office Assistant.

SCHEDULED PRESENTATION - None.

Any agenda related writings or documents distributed to members of the Planning Commission regarding any open session item on this agenda will be made available for public inspection in the Planning Division office located at 456 W. Olive Ave., Sunnyvale CA 94086 during normal business hours, and in the Council Chambers on the evening of the Planning Commission meeting pursuant to Government Code §54957.5.

PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS

Speakers are limited to three (3) minutes. If you wish to address the Planning Commission, please complete a speaker's card and give it to the Recording Secretary or you may orally make a request to speak. If your subject is not on the agenda, you will be recognized at this time; but the Brown Act (Open Meeting Law) does not allow action by Planning Commission Members. If you wish to speak to a subject listed on the agenda, you will be recognized at the time the item is being considered by the Planning Commission.

Ray Crump, Sunnyvale resident, remarked on changes in Sunnyvale over the past 40 years. He referenced a hearing for 260 S. Mary where two speakers were asked to comment on change. He noted the change in several properties from commercial use, church use and vacant lot to residential use.

CONSENT CALENDAR

1.A Approval of Minutes: July 8, 2013

Chair Dohadwala asked if anyone wanted to pull an item from the consent calendar.

Comm. Melton moved that the consent calendar include items 1.A and 1.B, **Comm. Larsson** seconded the motion.

ACTION: Vice Chair Melton moved to approve the July 8, 2013 minutes with modifications. **Comm. Larsson** seconded. Motion carried, 6-0 with **Comm. Kolchak** absent.

1.B File #: 2013-7468
Location: 822-830 E. Evelyn Ave. (APN: 209-14-007 & -011)
Proposed Project: **SPECIAL DEVELOPMENT PERMIT** to allow 31 townhome units, including the removal of two existing light industrial buildings.
TENTATIVE MAP to subdivide one property into 31 condominium lots and one common lot.
Applicant/Owner: Classic Communities / Scott Ward
Environmental Review: Negative Declaration
Staff Contact: David Hogan, (408) 730-7659, dhogan@sunnyvale.ca.gov
Note: Applicant requested continuance of this item to August 26, 2013. Staff recommends continuance to August 26, 2013.

ACTION: Vice Chair Melton moved to approve the requested continuance to August 26, 2013. Comm. Larsson seconded. Motion carried, 6-0 with Comm. Kolchak absent.

APPEAL OPTIONS: This action serves as legal notification of the continuance of the public hearing.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2. FILE #:** 2013-7508
Location: 455 S. Mathilda Ave. (APN: 165-03-004)
Proposed Project: **TENTATIVE MAP** to combine two parcels into one for condominiums.
Applicant / Owner: Summerhill Apartment Communities / Judith O Burns Trustee
Environmental Review: Categorically Exempt Class 1
Staff Contact: Gerri Caruso, (408) 730-7591, gcaruso@sunnyvale.ca.gov
Note: Notice published in error. Project will be re-advertised and noticed for a later date. No action required.

Trudi Ryan, Planning Officer, said no action was required on this item because it was published in error in the newspaper, and that no notices were sent out to property owners and the site was not posted. She said the item will be readvertised.

ACTION: None required

3. **FILE #:** 2013-7272
Location: 698 E. Taylor Avenue (APN: 205-30-003, 023 & 024)
Proposed Project: SPECIAL DEVELOPMENT PERMIT to allow 49 townhome-style condominium units. TENTATIVE MAP to combine three lots to create 9 lots and 1 common lot for a townhouse development.
Applicant/Owner: Warmington Residential
Environmental Review: Mitigated Negative Declaration (MND)
The MND will be Available July 22, 2013
Staff Contact: Shaunn Mendrin, (408) 730-7429, smendrin@sunnyvale.ca.gov

Chair Dohadwala asked for the staff report.

Ms. Ryan noted that after commissioners received the staff report, a Planning Commissioner indicated that more information would be helpful to understand the project. She said that the request was forwarded to the applicant who indicated that the requested information could not be gathered by the start of the Planning Commission meeting on August 12. The applicant sent a formal request to staff for a continuance of the item to the next meeting on August 26. Ms. Ryan suggested the meeting have a special start time of 7:00 p.m. for this item while other items would occur after 8:00 p.m. She said the applicant was present if commissioners had questions.

Chair Dohadwala opened the public hearing.

The applicant, **Rodger Miller**, of Warmington Residential said that they were initially ready to present today, however he received an email from the Planning Division on Friday asking for five additional information items which would have been impossible to put together in four hours. He said gathering the information would take several days, and asked for a continuation to the next meeting.

Comm. Melton asked if the applicant was prepared to present should commissioners want to have a full public hearing tonight.

Mr. Miller said that he would not be able to present because he did not bring his team with him.

Comm. Melton asked staff for a recommendation on the continuance.

Ms. Ryan said that continuances are typically granted if the applicant thinks it would benefit their presentation to commissioners.

Chair Dohadwala closed the public hearing.

Comm. Hendricks moved to continue the item to the next meeting, and to have a special start time of 7:00 p.m. **Comm. Larsson** seconded.

Comm. Hendricks noted that his approval for granting the continuance was due to the Planning Commission asking questions that caused the applicant to prepare additional information, also noting that the commission would have been there at 7:00 p.m. if there was a study session.

Comm. Larsson said that he approved of the continuance because the applicant did not bring his team to the meeting.

ACTION: Comm. Hendricks moved to continue this item to the Planning Commission hearing of August 26, 2013 as requested by the applicant, which a Special Start time of 7:00 p.m. Comm. Larsson seconded. Motion carried, 6-0 with Comm. Kolchak absent.

APPEAL OPTIONS: This action serves as legal notification of the continuance of the public hearing.

4. Standing Item Potential Study Issues

Comm. Hendricks suggested a study to evaluate noticing requirements including consideration of broadening the notice area for taller projects and the effectiveness of the notice materials. He indicated the study may need to look at required visualization tools from various distances. **Comm. Larsson** emphasized the need for the tools (e.g. renderings) from the vantage point of residential neighborhoods. Commission and staff discussed recent discussion between the City Council and City Manager at a Council meeting.

NON-AGENDA ITEMS AND COMMENTS

- **COMMISSIONERS ORAL COMMENTS**

Comm. Melton said that he met the CEO of the Santa Clara Valley Water District (SCVWD) at Santa Clara University. He said they spoke about the East and West Channel Project, and the CEO of the SCVWD proposed to send presenters to a future Planning Commission meeting to present project information to commissioners.

- **STAFF ORAL COMMENTS**

City Council Meeting Report

Ms. Ryan noted that the applicant's appeal of a Design Review on San Miguel would be heard by the City Council on August 13, 2013.

Other Staff Oral Report

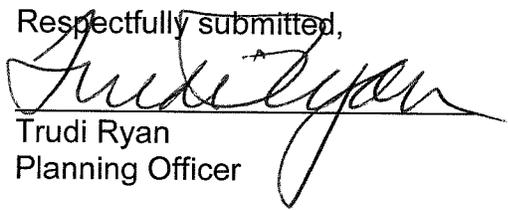
Kathryn Berry, Senior Assistant City Attorney, provided an overview of a recent State Supreme Court decision on *Neighbors for Smart Rail vs. Los Angeles County Metropolitan Transportation Authority*, which has implications for environmental review baselines.

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting was adjourned at 8:37 p.m.

Respectfully submitted,


Trudi Ryan
Planning Officer

