

Corrected information provided to the Planning Commission on 7/28/08.

RE: Report 2008-0407

Received on 7/28/08, from staff to the Planning Commissioners.

The following information was provided to the Planning Commission by staff as a correction to Report 2008-0407, page 4, under "Background". The attached minutes replace the information in the table, as the file numbers in the table are incorrect. The correct Background file number is 1999-1061.

These minutes were provided to the Commission on 7/28/08 after the agenda and reports were distributed.

MINUTES

1999-1061- Spieker Properties: - Application for a Use Permit to allow demolition of an existing building and construction of a two-story office building with a Floor Area Ratio (FAR) of 39.8%. The property is located at **384 Santa Trinita Way** in an M/S (Industrial and Service) Zoning District. (APN: 205-24-001) (Negative Declaration)

Fred Bell, Principal Planner, presented the staff report. The application was to allow demolition of a 50,000 s.f. existing building and the construction of a two story office building which would increase the FAR from 25% to 39.8%. Staff reported that the project would expand, intensify and enhance the existing research and development and office use that would attract Class A tenants. Staff noted that the Traffic Impact Analysis determined that the project would significantly impact traffic on Arques intersection and Lawrence Expressway; therefore, Mitigation measures were made to address the intersection impacts such as participation in the Valley Transportation Authority deficiency plan efforts and the City's cumulative traffic mitigation. Staff noted that the project meets or exceeds the Development Standards, Design Guidelines and the 35% FAR Criteria. Staff was able to make the necessary findings and therefore recommended approval of the Use Permit subject to the Conditions of Approval.

Comm. Satterlee asked staff if traffic impact analysis is only triggered when a project is over 35% FAR. Staff said yes. Staff further added if there would be a cumulative effect causing a significant impact at the intersection, a traffic impact analysis would be conducted.

Vice Chair Hornberger asked staff if the traffic light on Lawrence Expressway and Arques would be adequately mitigated by re-timing the traffic light. Staff said yes. She further asked if there would be a reduction of service on Lawrence Expressway. Staff responded that it was evaluated and there would not be an adverse effect and that there would not be a degrade in the level of service. Furthermore, the same mitigation measures were recently used with the other developments in the area.

Chair Howe opened the public hearing.

Michele Machi, Spieker Properties/applicant, provided a brief synopsis of the project and their modest request of a higher FAR. She presented her team that would address the different elements of the project. She noted that the project would be of high-quality and timeless buildings that are functional and made of durable materials.

7/28/08 Planning Comm.
Correction to references
in Agenda Item 7, Page
4 - "Background." Replace
File#s with File# 1999-1061.

Comm. Satterlee asked the applicant if there is ingress and egress on the buildings on Kern and Santa Trinita. The applicant responded that there are active exits on those streets.

Wendy Hoyt, The Hoyt Company, spoke on the Transportation Demand Management Plan. She noted that speculative developments are harder to prepare; however, the applicant committed to a 15% trip reduction. She highlighted the elements of the TDM Plan. She also noted that there would be a kick-off event upon reaching 50% occupancy and there would be employee orientation on alternative modes of transportation. Further, she stated that the TDM Plan meets the VTA standards and that there would additional lockers and showers to be added on the first and second floors.

Comm. Satterlee asked Ms. Hoyt where the stops for the ACE shuttle service would be. Ms. Hoyt responded that the ACE shuttle service would stop on the arterial route but would not enter the campus. She would verify exactly where the ACE shuttle service stops in the project area.

Comm. Simons asked staff about the pedestrian access and inquired about the sidewalks along Fry's. Staff updated the Commission on the status of the sidewalks on Fry's. Comm. Simons recommended Ms. Hoyt to invite VTA BAC to the opening kickoff event.

Kenneth Rodriguez, architect, noted that he addressed the concerns on the sidewalks and the circulation discussed at the Study Session. He noted that landscaping, circulation and parking were carefully integrated. He further added that he reorganized the articulation of the architecture and enriched the pedestrian elevation. Furthermore, he highlighted the reflective glass element is inside and would therefore bring high glass elements to the outside.

Vice Chair Hornberger asked Mr. Rodriguez to clarify the glass placement on the renderings. Mr. Rodriguez provided the details of the brick and glass locations.

Brent Cottong, Landscape Architect, stated that the landscaping design was able to introduce the landscaping element of public art. He detailed the architectural landscaping design of the project and highlighted the courtyard.

Comm. Simons asked Mr. Cottong if they had chosen the tree species. Mr. Cottong responded yes; however would use the tree species as recommended by staff. Further, Comm. Simons asked what type of lighting would be used for pedestrian lighting. Mr. Cottong responded that they would use incandescent light and would lower the level of lighting in the courtyard for pedestrian level.

Comm. Satterlee asked Mr. Cottong if there would be an attractive view of the water feature should the water needed to be turned off. Mr. Cottong responded that there would be an attractive view even without the water.

Suzi Blackman, Sunnyvale Chamber of Commerce, highlighted the added diversity of this project to the City of Sunnyvale. She noted that the building supported business known as gazelles and would attract midsize to high-end tenants supporting the economic goal of the City.

Michele Machi, applicant, thanked the Planning Commission and the excellent support provided them.

Chair Howe closed the public hearing.

Comm. Satterlee asked staff if it would be OK to cross on the corner to go to Fry's and that she has some safety issues for high tech employees wanting to go to Fry's. Staff responded that it is legal to cross on the corner even though the intersection is not striped.

Staff noted that Public Safety would be consulted on this issue through the conditions of approval.

Comm. Simons asked clarification on the TDM penalty fees to be determined by the Community Development Director. Staff clarified that penalties are determined by the Director as part of the Final TDM.

Vice Chair Hornberger asked what is the specific elevation concerns on Conditions of Approval #9. Staff responded that the concern was on the Santa Trinita and Kern entries and not the courtyard area.

Comm. Satterlee made a motion on Item #1999-1061 to affirm the Mitigated Negative Declaration and approve the Use Permit in accordance with staff recommendation subject to the Conditions of Approval. Comm. Flanagan seconded.

Comm. Satterlee commented that the application was a modest increase in FAR and was happy with the benefits and the applicant's addressing her concerns.

Comm. Flanagan echoed Comm. Satterlee and the Chamber of Commerce and agreed that it is important to be flexible in order to expand.

Comm. Simons also echoed his fellow commissioners and was extremely pleased to see the showers and lockers promoting the use of multimodal transportation options.

Comm. Brown concurred that the project is a Class A building and that it offers a beautiful 35% of site landscaping. She added that the project has the highest level of design that would attract good companies. She was also pleased with the 15% trip reduction goal and encouraged her fellow commissioners to support the project.

Comm. Lee was glad to see that the applicant addressed his concerns about high quality design. He concurred that the project would attract a wide range of tenants for the City of Sunnyvale.

Vice Chair Hornberger supported the motion. She was pleased that the specific design features addressed in the Conditions of Approval would enhance and make it more attractive. She noted that the additional showers are a plus and that the landscaping was outstanding with the design and the water elements. She strongly believed the applicant to be a committed developer who is willing to give something to Sunnyvale and would stay through the future.

Chair Howe concurred with his fellow commissioners.

Motion carried unanimously 7-0.

Trudi Ryan stated that the decision is final unless appealed to the City Council during the 15-day appeal period.