



**APPROVED MINUTES  
SUNNYVALE PLANNING COMMISSION  
January 23, 2012  
456 West Olive Avenue, Sunnyvale, CA 94086**

**7:00 PM – Study Session – West Conference Room**

1.     **File #:**                                 **2011-7070**  
       **Location:**                         City-wide  
       **Subject:**                         Comprehensive Sign Code Revisions  
       **Staff Contact:**                 Andrew Miner, (408) 730-7707  
   [aminer@ci.sunnyvale.ca.us](mailto:aminer@ci.sunnyvale.ca.us)  
       **Notes:**                             (45 minutes)
  
2.     **Public Comment** on                 (5 minutes)  
       Study Session Agenda  
       Items
  
3.     **Comments** from the Chair     (5 minutes)

**8:00 PM - Public Hearing – Council Chambers**

The Planning Commission met in regular session with Chair Hendricks presiding.

**CALL TO ORDER/SALUTE TO THE FLAG**

**ROLL CALL**

Members Present: Chair Glenn Hendricks; Vice Chair Gustav Larsson; Commissioner Maria Dohadwala; Commissioner Bo Chang; Commissioner Arcadi Kolchak; and Commissioner Brandon Sulser.

Members Absent: Commissioner Nick Travis (excused).

Staff Present: Trudi Ryan, Planning Officer; Kathryn Berry, Senior Assistant City Attorney; Mariya Hodge, Associate Planner; and Recording Secretary, Debbie Gorman.

**SCHEDULED PRESENTATION - None**

**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.

**CONSENT CALENDAR**

**1.A. APPROVAL OF MINUTES of January 9, 2012.**

**1.B. File #:** 2011-7758  
**Location:** 495 E. Java Drive (APNs: 110-32-020 through 110-32-029)  
**Proposed Project:** Major Moffett Park Design Review and Tentative Parcel Map applications for the expansion of the NetApp campus that include modifications to the approved master site that results in a 76.4% Floor Area Ratio (FAR). The project results in approximately 120,996 s.f. of additional building area (Buildings 5 & 6) and a 4-story parking structure utilizing LEED (Leadership in Energy and Environmental Design) Gold design.  
**Applicant/ Owner:** NetApp  
**Environmental Review:** Mitigated Negative Declaration  
**Staff Contact:** Ryan Kuchenig, (408) 730-7431  
[rkuchenig@ci.sunnyvale.ca.us](mailto:rkuchenig@ci.sunnyvale.ca.us)  
**Notes:** ***Project 2011-7758 continued from December 12, 2011. Request continuance to February 29, 2012 to complete environmental review.***

**1.C. File #:** 2011-7246  
**Location:** City-wide  
**Proposed Subject:** Consider Revisions to Zoning Code (Title 19 of the Sunnyvale Municipal Code) for Conversions of Mobile Home Parks to Other Uses (Chapter 19.72)  
**Environmental Review:** This action does not meet the definition of a "project" under CEQA and no additional review is required.  
**Staff Contact:** Ernie DeFrenchi, (408) 730-2784  
[edefrenchi@ci.sunnyvale.ca.us](mailto:edefrenchi@ci.sunnyvale.ca.us)

**Notes:**

***Staff requests an indefinite continuance of this item. The item will be re-noticed for future Public Hearings when new dates have been determined.***

*Information on the progress of this study can be found at [mobilehomeparks.inSunnyvale.com](http://www.mobilehomeparks.inSunnyvale.com) ( <http://www.mobilehomeparks.insunnyvale.com/> )*

**ACTIONS: Vice Chair Larsson moved to approve the consent calendar. Comm. Chang seconded. Motion carried 6-0, with Comm. Travis absent.**

**APPEAL OPTIONS: This action serves as legal notification of the continuance of File # 2011-7758 to February 29, 2012 and legal notification of the indefinite continuance of File # 2011-7246, which will be re-noticed for future Public Hearings when dates have been determined.**

**PUBLIC HEARINGS/GENERAL BUSINESS**

2. **File #:** 2011-7853  
**Location:** 827 Rubis Drive (APN: 201-24-037)  
**Proposed Project:** Design Review for a one and two-story addition to an existing two-story home for a total of approximately 2,927 square feet (48.6% Floor Area Ratio).  
**Environmental Review:** Categorically Exempt Class 1  
**Staff Contact:** Ryan Kuchenig, 408-730-7431  
[rkuchenig@ci.sunnyvale.ca.us](mailto:rkuchenig@ci.sunnyvale.ca.us)

**Comm. Dohadwala said the homeowner is one of her neighbors, recused herself, and left the Council Chambers.**

Trudi Ryan, Planning Officer, presented the staff report.

Vice Chair Larsson disclosed the he spoke with one of the owners on his site visit.

**Chair Hendricks opened the public hearing.**

Daryl Harris, architect with RH Associates Architects, and Duncan Curry, homeowner, were present to answer questions. Mr. Harris said that Mr. Curry discussed the project with his neighbors.

Chair Hendricks confirmed with the applicant and homeowner that they have no questions or concerns regarding the conditions of approval.

**Chair Hendricks closed the public hearing.**

**Comm. Kolchak moved for Alternative 1, to approve the Design Review with the attached conditions. Vice Chair Larsson seconded the motion.**

Comm. Kolchak said the design is similar to other homes in the area, he can make the findings and said he believes this will be a great project.

Vice Chair Larsson said he can make the findings and said the changes do not change the appearance from the street and he thinks this is a good addition.

Chair Hendricks said he would be supporting the motion. He said he can make the findings and he thinks this is a good design and project.

**ACTION: Comm. Kolchak made a motion on 2011-7853 to approve the Design Review with the attached conditions. Vice Chair Larsson seconded. Motion carried 5-0, with Comm. Dohadwala recusing herself and Comm. Travis absent.**

**APPEAL OPTIONS: This action is final unless appealed to the City Council no later than February 7, 2012.**

Comm. Dohadwala returned to the Council Chambers.

3. **File #:** 2011-7657  
**Location:** 580 N. Mary Ave. (APN: 165-41-002)  
**Proposed Project:** Use Permit for a new 124,095 sq. ft., 5-story office building resulting in approximately 55% Floor Area Ratio with a new 1.5-story parking structure.  
**Applicant/ Owner:** Peery-Arrillaga / A & P Children Invslc  
**Environmental Review:** Mitigated Negative Declaration  
**Staff Contact:** Mariya Hodge, 408-730-7659  
[mhodge@ci.sunnyvale.ca.us](mailto:mhodge@ci.sunnyvale.ca.us)

**Mariya Hodge**, Associate Planner, presented the staff report.

**Comm. Chang** discussed with staff the required LEED (Leadership in Energy and Environmental Design) certification at the Gold level for this application.

**Comm. Dohadwala** confirmed with staff that the setbacks on the garage building are met. Staff also discussed the garage design, and use of landscaping to make the garage less prominent and the location of the garage with staff. Staff said there is no rear setback requirement for industrial and no maximum setback from the front of the property.

**Vice Chair Larsson** asked staff whether sidewalks were to be required along Maude. Staff explained that staff's recommendation is to retain the mature trees rather than remove the trees to install sidewalks. Vice Chair Larsson discussed with staff the trees slated for removal, replacement trees, and the location of a new driveway.

**Chair Hendricks** asked staff about the public art requirements and whether the art could be placed anywhere in the City instead of on the project site. **Trudi Ryan**, Planning Officer, said there is a potential study issue regarding this subject, and currently there is the option of paying an in-lieu fee if there is something difficult about placing the art on the site. Chair Hendricks discussed with staff the driveways and traffic concerns. Staff explained that the traffic analysis indicated that there would be no significant traffic issues or impacts. Chair Hendricks confirmed with staff that the Planning Commission could discuss options about tree removal to allow sidewalks along Maude Avenue.

**Chair Hendricks opened the public hearing.**

**Huiwen Hsiao**, the architect, discussed the project on behalf of the applicant. He discussed the nearby buildings and how the proposed building would relate to the surrounding area. He addressed the setbacks, design and materials proposed for the parking structure. He said that the applicant has tried to create an urban oasis focal point and to preserve most of the mature trees on Mary and Maude Avenues. He said this is a state-of-the-art building design, discussed the materials and colors proposed, and explained the energy highlights. He said the project preserves many of the trees, and discussed the existing corner.

**Comm. Chang** asked Mr. Hsiao about adding a sidewalk on Maude and the existing trees. Mr. Hsiao said the applicant would be willing work with the City for the best solution for the site.

**Comm. Dohadwala** expressed her concerns about the large front setback, the location of the building on the site, and how the project relates to the corner and the street. Comm. Dohadwala said she does not like to see the parking garage from the street and the parking garage is closer to the street than the proposed building. Mr. Hsiao said a visual study could be done to show the visual impact if needed.

**Chair Hendricks** asked Mr. Hsiao about the placement of the two driveways and possibly making the driveway on Maude Avenue larger. Mr. Hsiao discussed what the applicant wanted regarding the placement of the driveways.

**Mr. Hsiao** said the applicant is trying to bring a high-quality designed building to this site and requested that the Planning Commission support the project.

**Chair Hendricks** commented that a study session was previously held for this project and design issues were addressed then. **Chair Hendricks closed the public hearing.**

**Comm. Kolchak** commented that the project has some extra parking spaces and suggested some of the parking spaces on Maude Avenue could be eliminated to allow a sidewalk, and keep the mature trees.

**Vice Chair Larsson** asked staff if there were options that would allow a sidewalk to be added on Maude Avenue. Ms. Hodge explained adding a sidewalk would require removing trees and that eliminating parking spaces might not be effective, however further options could be considered.

**Chair Hendricks** asked staff about the impacts of continuing this item to allow staff and the applicant time to determine if a sidewalk option could be found. Ms. Ryan discussed that applicants prefer to move forward and that this item is scheduled for City Council consideration on February 7, 2012. Ms. Ryan suggested that if the Commission wants a sidewalk that the Commission could tell staff what they want, and provide guidelines. Chair Hendricks commented that an opportunity to provide a sidewalk does not come along very often, and that it is not typical to remove trees. Ms. Ryan commented about options for addressing the concern.

**Comm. Dohadwala** commented about the challenge of preserving the trees, and encouraging pedestrian circulation as a piece of public transit. She said she would be willing to consider the removal trees on Maude Avenue for addition of a sidewalk.

**Comm. Sulser** asked if the Commission directed that the trees be removed to allow a sidewalk, would it impact the LEED points? Staff said they do not know, however the impact could be determined. Comm. Sulser asked if any of the trees that are preventing a sidewalk addition could be moved with staff saying they do not know.

**Vice Chair Larsson** discussed with staff, which trees might have to be removed to add a sidewalk and other trees on the site planned for removal referring to Attachment D, page 35. Chair Hendricks added that there are also berms that would have to be adjusted for a sidewalk addition. Ms. Hodge said staff could work with the applicant and to determine which trees would need to be removed to accommodate a sidewalk. Vice Chair Larsson said he agrees that the Commission does not have many opportunities to add sidewalks. Ms. Ryan said the Commission could suggest requiring a sidewalk on Maude with the minimal the loss of trees with staff obtaining an estimate on the tree loss before it goes forward to the next public hearing.

**Chair Hendricks** said when he was making his earlier comments he was under the impression that all the corner trees might have to be removed to add a sidewalk, however it would be good to keep as many trees as possible.

**Comm. Chang moved for Alternative 2, to recommend the City Council to adopt the Mitigated Negative Declaration and approve the Use Permit with modified conditions that the staff and the applicant work together to provide a sidewalk along the site's Maude Avenue frontage while minimizing the removal of trees as much as possible.** Chair Hendricks asked Comm. Chang if he was open to modifying the driveways and then dropped his suggestion after staff commented. **Comm. Sulser seconded the motion.**

**Comm. Chang** applauded the applicant for a great project. He said the City has few opportunities to add sidewalks, which would be a good addition to this project. Comm. Chang said he was concerned about the driveways and traffic flow at the study session however his concerns are addressed in the traffic analysis. He said more traffic management on site would help traffic issues, a sidewalk addition would be great, and he is looking forward to the project being finished.

**Comm. Sulser** said this is an exciting design and this is an important opportunity for completing the sidewalk network as much as it pains him to remove the trees.

**Comm. Dohadwala** said she would not be supporting the motion as she feels there is more potential for this corner site, and the building setback loses the strength of the corner. She said this is a beautiful building and there are many good parts of the project, however she thinks the building gets lost in the placement on the lot. She said she does not like the garage placement, or the garage.

**Comm. Kolchak** said he would be supporting the motion and agrees with the comments of some of his fellow commissioners. He said this is a good opportunity to continue the pedestrian network.

**Vice Chair Larsson** clarified with staff that the project would not return to Planning Commission before going to City Council. Vice Chair Larsson said he would be supporting the motion. He said he likes the architecture, the interaction with trees on the corner, and the building peeking out through trees. He said he wishes all the trees on the Maude side could be retained, as he really likes the redwood tree. He said this is an

important opportunity to add to the City sidewalk networks, and once the building is completed it will be a long time before there is another chance to add a sidewalk.

**Chair Hendricks** said he would be supporting the motion. He said he concurs with his fellow commissioners and likes the building. He said he is sure he will hear about the suggestion of possible tree removal to achieve sidewalks. He said he slightly disagrees with Comm. Dohadwala regarding the parking structure, and said he thinks this garage will look better than many other garages. He said the architecture is a good design and he can make the necessary findings to recommend approval.

**ACTION: Comm. Chang made a motion on 2011-7657 to recommend the City Council adopt the Mitigated Negative Declaration and approve the Use Permit with modified conditions that the staff and the applicant work together to provide a sidewalk along the site's Maude Avenue frontage while minimizing the removal of trees as much as possible. Comm. Sulser seconded. Motion carried, 5-1, with Comm. Dohadwala dissenting, and Comm. Travis absent.**

**APPEAL OPTIONS: This recommendation will be provided to City Council and is scheduled to be considered by City Council at the February 7, 2012 meeting.**

**Chair Hendricks** commented that the current use on this site is a U.S. Post Office and asked staff if the City knows the fate of the Post Office. Ms. Hodge said staff is working with the U.S. Post Office to find a new site in Sunnyvale.

4. **Location:** City-wide  
**Proposed Project:** Application to Association of Bay Area Governments (ABAG) for Nomination of Potential Sunnyvale Priority Development Areas  
**Staff Contact:** Gerri Caruso, (408) 730-7591  
[gcaruso@ci.sunnyvale.ca.us](mailto:gcaruso@ci.sunnyvale.ca.us)  
**Notes:** *This item is scheduled to be considered by City Council at the January 31, 2012 Council Meeting.*

**Trudi Ryan**, Planning Officer, presented the staff report. She said two emails received from the members of the public were provided on the dais. She referred to the resolution, Attachment A, page 1, the fourth paragraph, and discussed a possible revision to the language as suggested by Vice Chair Larsson to add “and/or employment” to item (c).

**Comm. Sulser** discussed with staff the criteria for determining the borders of the Priority Development Areas (PDA) and whether there was flexibility to change them. Staff explained that the Association of Bay Area Governments (ABAG) has criteria that has to be considered, however the Planning Commission could make a recommendation and staff could review the possible changes.

**Vice Chair Larsson** confirmed with staff that the attached resolution is not setting new policy or changing zoning. Ms. Ryan said this application is identifying areas of possible study and allows the City to apply for funding from various sources. Vice Chair Larsson discussed with staff SB 375, transportation, and land use and asked how the City uses the bigger process to get better public transportation in Sunnyvale. Ms. Ryan discussed the differing views and opinions on the relationship of transportation and land use. Vice Chair Larsson asked staff about incentives.

**Chair Hendricks** discussed with staff the possible effects of whether or not we put this application forward identifying PDA areas. Chair Hendricks commented that the perception of the public might be, if you do not want growth do not designate an area as a PDA, that identifying the PDAs might lead to compact development, and that the possibility of a transit piece may or may not come along.

**Chair Hendricks opened the public hearing.**

**Bret Flesner**, a Sunnyvale resident, said he was astonished that the City might promote infill and increase the density of our housing. He said right now housing is impacted resulting in the need for a lottery for attendance at certain local schools. He said the City needs to determine whether more growth is wanted in Sunnyvale rather than adding PDAs with the hope of possible transportation funding.

**Sharis Woodard**, a Sunnyvale resident, discussed her concern about infilling with huge, high-density buildings, and increased public transit, and said that not everyone wants to live in compact places. She said she lives in the Tasman area, Plaza Del Rey Mobile Home Park, and with the light rail coming through it seems everyone wants to fill it all in.

**Chair Hendricks closed the public hearing.**

**Comm. Chang** confirmed with staff that the Planning Commission would be sending a recommendation to Council.

**Vice Chair Larsson** moved to recommend to City Council to adopt the attached resolution supporting the application for five Priority Development Areas with modification: to add to the resolution, page 1, the fourth paragraph, under item (c) the language “and/or employment”. **Comm. Chang** seconded the motion.

**Vice Chair Larsson** said the City is not committing to any changes now and this application opens up the possibility of applying for funding and studying areas in the future. He said it is important to keep our options open to do the planning we want to do. He thanked the members of the public who came and spoke.

**Comm. Chang** said this is a plan for studying areas moving forward and allows the City to look for funding for planning for housing, jobs, and transportation. He said this work will give the City better guidelines working with other agencies to accomplish the goals.

**Comm. Sulser** said he would be supporting the motion as he thinks it is important go forward with obtaining grant money for some of the identified areas. He said he thinks the borders for some of the areas are too inclusive, however in the future the borders can be modified based on the study of the area.

**Comm. Dohadwala** said she would be supporting the motion and that this recommendation could open the door for grant funding to study these areas. She said it is important to focus on these areas and then decide what the City wants. She said it helpful for citizens to provide input and encouraged citizens to express what they want for these areas. She said sometimes compact is better as it provides a lesser footprint.

**Vice Chair Larsson** added that identifying PDAs allows the City to focus on areas rather than the entire City.

**Chair Hendricks** said he would be supporting the motion and he appreciates the public input. He said some people do not want growth. He said the Planning Commission plans based on the policies that the City Council has defined for the City. He said that the City policy is generally for growth, that planning better serves the City, and these policies help with planning.

**ACTION:** Vice Chair Larsson made a motion to recommend to City Council to adopt the attached resolution supporting the application for five Priority Development Areas with modification: to add to the resolution, page 1, the fourth paragraph, under item (c) the language “and/or employment.” **Comm. Chang** seconded. Motion carried 6-0, with **Comm. Travis** absent.

**APPEAL OPTIONS:** This recommendation will be provided to City Council and is scheduled to be considered by City Council at the January 31, 2012 meeting.

5. **Location:** City-wide  
**Proposed Project:** Proposed Update to Policy 7.3.2 Including 2012 Priority Issues and Legislative Advocacy Positions  
**Staff Contact:** Coryn Campbell, (408) 730-7475  
[ccampbell@ci.sunnyvale.ca.us](mailto:ccampbell@ci.sunnyvale.ca.us)  
**Notes:** *This item is scheduled to be considered by City Council at the February 7, 2012 Council Meeting.*

Trudi Ryan, Planning Officer, presented the staff report.

There were no questions from the Planning Commission.

**Comm. Dohadwala** moved for Alternative 1, to **recommend to City Council to Approve Attachment A, Proposed Policy 7.3.2 Including 2012 Priority Issues and Legislative Advocacy Positions and Attachment B, 2011 Legislative Action Positions Proposed for Modification or Deletion. Comm. Sulser seconded.**

**Comm. Dohadwala** said she is comfortable with what is in the purview of the Planning Commission and can support the recommendation.

**Comm. Sulser** said the recommendations are reasonable and largely administrative so he can support the motion.

**Chair Hendricks** said he would be supporting the motion and agreed with Comm. Sulser that these are relatively administrative and said the recommendations seem logical and make sense.

**ACTION:** Comm. Dohadwala made a motion to recommend to City Council to Approve Attachment A, Proposed Policy 7.3.2 Including 2012 Priority Issues and Legislative Advocacy Positions and Attachment B, 2011 Legislative Action Positions Proposed for Modification or Deletion. Comm. Sulser seconded. Motion carried 6-0, with Comm. Travis absent.

**APPEAL OPTIONS:** This recommendation will be provided to City Council and is scheduled to be considered by City Council at the February 7, 2012 meeting.

**6. Standing Item: Potential Study Issues**

No potential Study Issues for 2013 were proposed.

**NON-AGENDA ITEMS AND COMMENTS**

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

**City Council Meeting Report**

**Trudi Ryan**, Planning Officer, announced that three Residential Green Building Requirement Outreach meetings have been scheduled. Staff has invited developers, contractors, and neighborhood groups and the meetings are open to all interested persons. The meetings will take place in the West Conference Room located at 456 W. Olive Avenue, City Hall. The meeting dates and times are: Wednesday, January 25, 2012 from 6:00 to 7:00 p.m.; Thursday, January 26, 2012 from 9:00 to 10:00 a.m.; and Wednesday, February 1, 2012 from 6:00 to 7:00 p.m. Comm. Chang confirmed with staff that these meetings are the follow up and the residential piece to the Green Building Study done in 2011.

**Ms. Ryan** said the Planning Commission has a Study Session with the Sustainability Commission and the Board of Building Code Appeals on Monday, February 27, 2012 and a Joint Study Session with the City Council on Tuesday, March 6, 2012. The location and times are to be determined.

**Ms. Ryan** discussed planning related items considered by City Council at the January 10, 2012 meeting.

**Vice Chair Larsson** discussed with staff a Peery Park item that he read about on the City Manager's blog.

**Ms. Ryan**, Planning Officer, reminded the Planning Commission that the meetings in February would be on Monday, February 6, 2012 and Wednesday, February 29, 2012 as the Council Chambers are not available on either of the typical February meeting dates due to renovations in the Council Chambers.

**Other Staff Oral Report**

**INFORMATION ONLY ITEMS**

**ADJOURNMENT**

With no further business, the Commission meeting adjourned 10:00 p.m.

Respectfully submitted,

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Trudi Ryan  
Planning Officer