



February 25, 2022

City of Sunnyvale Planning Commission
Sunnyvale City Hall
456 W. Olive Avenue
Sunnyvale, CA 94086

Re: Overbuild at 490 S. Mathilda Project #2021-7280

Dear Planning Commission,

The Minkoff development proposal for 490 S. Mathilda Ave. violates both Sunnyvale's General and Specific Plans. The Project greatly exceeds the allocated Office Floor area for the site. This overbuild exceeds the standard allowed square footage by over 150% and exceeds the height limit by 40%.

No modifications of the current building limits should be approved for this project, whether by "agreement" or otherwise.

Please install at the designated site a full 'story pole' outline of the proposed project within the next 30 days. This will show the size of the building that is planned and its impact on the adjacent neighborhood. Story poling will allow residents, Planning Commissioners and Councilmembers to comprehend the magnitude of the project.

Please use S. Mathilda Ave. for the Ingress and Egress to/from the proposed building's parking garage. There should be no access from Olive Ave. which is a street of single-family homes. Five to 10 year old children walk and bike on Olive daily on their way to/from the nearby Ellis Elementary School campus for classes and After-School programs. As a pedestrian-friendly neighborhood, there are many pedestrians/walkers/runners and parents with children in strollers using Olive Ave. on a daily basis to appointments, shopping, bus stops, etc. Also, Olive Ave. heading east from Mathilda is an established route for police, fire trucks and emergency vehicles responding to emergencies.

There has not been a timely "*traffic safety analysis*" of the cumulative effects of adding the traffic impacts of the proposed Minkoff project to Olive Ave. with the traffic impacts of the other building projects in process for the same general area. The significantly increased traffic volume from all the projects may well increase crash/injury occurrences

Construction noise by the overbuild will be increased by over 150%.

The health-related quality of life, property value, physical environment and legal rights of the adjacent property owners will be severely impaired by this proposed project.

Is the city trying to slip this development past the public by:

- not addressing the ramifications of this proposed overbuild,
- hiring a consultant to justify that excess
- not insisting that story poles be erected

Please, as Planning Commissioners, address the following:

- Why this gross overbuild is being allowed
- Why the project is allowed to skirt the General or Specific amendment process
- Why the City hired a consultant to champion the project's cause
- Why the underground parking entrance is on W. Olive rather than S. Mathilda
- Why story poles aren't being required to provide a visual example of the massive impact this structure will have on the adjacent neighborhood/area of Sunnyvale

In fairness to the neighborhood and to the principles of sound, well thought out city planning, we believe that all of these issues need to be addressed and publicly resolved before this project moves any further along in the approval process.

Sincerely,



Ray Johnson



Cynthia Johnson



Paul Reed

cc: Shaunn Mendrin - Principal Planner, Sunnyvale

From: Kristi Chiocco <[REDACTED]>
Sent: Sunday, June 26, 2022 9:37 PM
To: Shaunn Mendrin
Cc: Ray&Cynthia Johnson
Subject: Petition: Story Pole installation
Attachments: [petition_signatures_STORYPOLES.pdf](#)

ATTN: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Hello Mr. Mendrin

Please find attached the list of signatures we have accumulated for the following petition:

"STORY POLE installation for 480/490 Mathilda Project"

<https://chng.it/RvfhYzCbRS>

Thank you,
Kristi A. Chiocco

Name	City	State	Postal Code	Country	Signed On
Kristi Chiocco	Sunnyvale	CA		US	6/18/22
Kimberly Moya	Palo Alto	CA	94306	US	6/18/22
Ray Johnson	Sunnyvale	CA	94086	US	6/19/22
Lisa Maynard	Sunnyvale	CA	94086	US	6/21/22
Sonal Gupta	Sunnyvale	CA	94086	US	6/21/22
Lynn Kristy	Sunnyvale	CA	94087	US	6/21/22
Michael Kempton	Sunnyvale	CA	94085	US	6/21/22
Apurva Samudra	Sunnyvale	CA	94086	US	6/21/22
Linna Harnack	Sunnyvale	CA	94086	US	6/21/22
Bill Weaver	Sunnyvale	CA	94086	US	6/21/22
Jennifer Shannon	Sunnyvale	CA	94087	US	6/21/22
Olaf Hirsch	Sunnyvale	CA	94086	US	6/22/22
Melinda Hamilton	Sunnyvale	CA	94086	US	6/22/22
Lisa Springs	Sunnyvale	CA	94086	US	6/22/22
FRANKLIN SMOOT	Sunnyvale	CA	94086	US	6/22/22
Paul King	Sunnyvale	CA	94087	US	6/22/22
Mike Kapolnek	Sunnyvale	CA	94086	US	6/22/22
Ronald Ritucci	Sunnyvale	CA	94086	US	6/22/22
Carly Moya	Sunnyvale	CA	94086	US	6/22/22
Stephen Kempf	Sunnyvale	CA	94087	US	6/22/22
Greg Gimenez	Sunnyvale	CA	94086	US	6/23/22
Patricia Patton	Sunnyvale	CA	94087	US	6/23/22
Karen Kapolnek	Sunnyvale	CA	94086	US	6/23/22
Garrett Moya	Sunnyvale	CA	94087	US	6/23/22
Allison Moya	Sunnyvale	CA	94086	US	6/24/22
Laurel Ashcraft	Sunnyvale	CA	94086	US	6/24/22
Jean Oeschger	Sunnyvale	CA	94086	US	6/24/22
Anne Langer	Sunnyvale	CA	94086	US	6/25/22

From: Kristi Chiocco <[REDACTED]>
Sent: Sunday, June 26, 2022 9:39 PM
To: Shaunn Mendrin
Cc: Ray&Cynthia Johnson
Subject: Petition: DENY Special Development Permit
Attachments: [petition_signatures_DENYSDP.pdf](#)

ATTN: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Hello Mr. Mendrin

Please find attached the list of signatures collected through change.org for the following petition:

"DENY Special Development Permit for 480/490 S Mathilda Project"
<https://chnq.it/hrbxtSF2>

Thank you,
Kristi

Name	City	State	Postal Code	Country	Signed On
Kristi Chiocco	Sunnyvale	CA		US	6/16/22
Kimberly Moya	Palo Alto	CA	94306	US	6/16/22
Ray Johnson	Sunnyvale	CA	94086	US	6/19/22
Lisa Maynard	Sunnyvale	CA	94086	US	6/21/22
Thaddeus Dayton	Sunnyvale	CA	94086	US	6/21/22
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Adriana Marin	Sunnyvale	CA	94086	US	6/23/22
mercedes laboy	New York		10473	US	6/23/22
Pallavi Chakravarthy	Millpitas	CA	95035	US	6/23/22
Aavai Tukhar	San Francisco	CA	94142	US	6/23/22
Karen Kapolnek	Boardman	OR	97818	US	6/23/22
Kyleigh Stewart	Newark		43055	US	6/23/22
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Allison Moya	Sunnyvale	CA	94086	US	6/24/22
Laurel Ashcraft	San Francisco	CA	94109	US	6/24/22
Carmen Austin	Fairfield		94533	US	6/24/22

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Robert Marraro	Corpus Christi		78414	US	6/24/22
Gail Ritucci	Sunnyvale	CA	94086	US	6/24/22
Derrick Grava	Johns Island		29455	US	6/24/22
Deez Nutz	New York		10043	US	6/25/22
anne langer	Pinole	CA	94086	US	6/25/22
Marija Vitanovic	Washington		20001	US	6/25/22
Alex Reagan	Oneida		37841	US	6/25/22
Brandon Roman	Medford		11763	US	6/25/22
Annick Richardson	Dayton	OH	45429	US	6/25/22
bella Bumble	Brooklyn		11210	US	6/25/22
Brenda Tucker	Covington		24426	US	6/26/22

July 23, 2021

Shaunn Mendrin, City Planner
City of Sunnyvale
456 W. Olive Ave.
Sunnyvale, CA 94086

Dear Shaunn:

Enclosed, for your information, is a summary of our meeting with Dan Minkoff and Will Birdsey of The Minkoff Group on May 24, 2021 regarding their proposed development at 490 S. Mathilda Avenue, Project #2021-7280.

Sincerely,



Ray Johnson

[REDACTED]
July 23, 2021

The Minkoff Group
Dan Minkoff
Will Birdsey
[REDACTED]

Re: 490 S. Mathilda, Project #2021-7280

Dear Dan and Will,

Thank you for meeting with us on May 24, 2021 and providing insights to your plan for the structure that will become our neighbor to the west of our properties.

To recap the significant points of discussion:

As you may remember, we have serious concerns regarding the eastern elevation of your proposed structure. The existing two-story office building is approximately 25' high and begins approximately 42' away from our shared property line. Your proposed 50' high structure is only 15' from our property line and as shown would create severe privacy issues for us, both in our back yard and our house.

A three-story 50' high office building with a reflective glare-producing glass exterior of floor to ceiling windows with only a 15' set back from private back yards of one-story homes is a looming presence that destroys all privacy in the yard, and the shadows it will create during the day will deprive both our homes and yards of hours of the sunlight they currently enjoy.

Such a structure is prevalent in areas like the Moffett Business Park here in Sunnyvale, but it would be out of place and inappropriate next door to the original Heritage District of Sunnyvale known and valued for its architecturally unique one-story homes and tree lined streets.

Somehow it doesn't seem quite right that we will have to live with eyes constantly looking down into our back yard and have to close our window blinds just so your occupants will enjoy an unobstructed view out of the east end of your proposed design.

To mitigate those concerns we proposed a different building design for the back (eastern end). As a means of softening the impact of a 50' wall just 15' away from our joint property line, we discussed stepping the 2nd floor back 20' (25' would be better) from the edge of the 1st floor and also stepping the 3rd floor back 20' (again 25' would be better) from the edge of the 2nd floor. It was suggested that the lost square footage could be reclaimed by moving the southern face 3' to the south, minimizing the planting area. Dan felt the City would object to that. A second approach would be to reduce the 10' northern setback to 7'. A third option would be to cantilever the second and third floors 3' beyond the first floor.

Screening:

It was suggested that the massive effect could be softened with screen planting. We all know that screen planting is only an amelioration, not a solution. Trees grow slowly and they also die. When that happens, it can take years to regrow to the point of being a shield again. Metal framework attached to the building to use as trellises for vines isn't a viable solution as vines suffer from the same slow growth and can quickly get scraggly or die and not screen anything from view.

Minimizing the reflective glare from your eastern elevation can be accomplished by reducing the glass on the 2nd and 3rd floors. This can be achieved by starting the windows 7' up from the floor, along with using a non-glare surface such as stucco for the remainder of the eastern exterior elevation.

Noise: We discussed three sources of noise:

Garage ventilation, which you assured us would be no problem as the exchange would occur at the most north westerly corner of the structure.

Garbage collection and recycling. You indicated these would be all indoors and, therefore, quiet with the exception of the ingress and egress of the garbage trucks and rolling the trash containers to and from the street along our back property line. We hope that is the case.

HVAC. You showed its location on the roof approximately 1/3 of the way from the eastern end of the building, but the noise level and hours of operation were not stated and both of those should be examined further. We discussed the prime example of what is unacceptable being the new apartment complexes in the 200 block of S. Taaffe St. that appear to drone on and on 24/7.

Bottom line: Our current neighbor is quiet and especially so during the night, and we hope your new development will be the same.

Other points covered:

We pointed out that the current cantilevered portion of the S.E. corner of the 2nd floor appears to encroach approximately 4-6' into the narrow 15' setback from the eastern property line and the trellis structures also intrude into the setback area.

Also, we discussed how the level of our three properties compare to the current parking lot level. Our properties taper down from zero at Olive to the Bank of America property line to the north where it appears to be approximately 3' lower.

Will your site require storm water treatment areas? If so, could those be placed on the east side for more separation of the building from the property line?

Will the interior lights be left on 24/7?

Lastly, it is very important in our view that story poles be set up to help us all, including the Mayor and City Councilmembers, to envision the extent to which your current design will negatively impact its neighbors. It is important that this be done early in the review process.

Thanks again for meeting with us. We hope you will modify your design to accommodate our concerns.

Sincerely,



Ray Johnson



Cynthia Johnson

Paul Reed



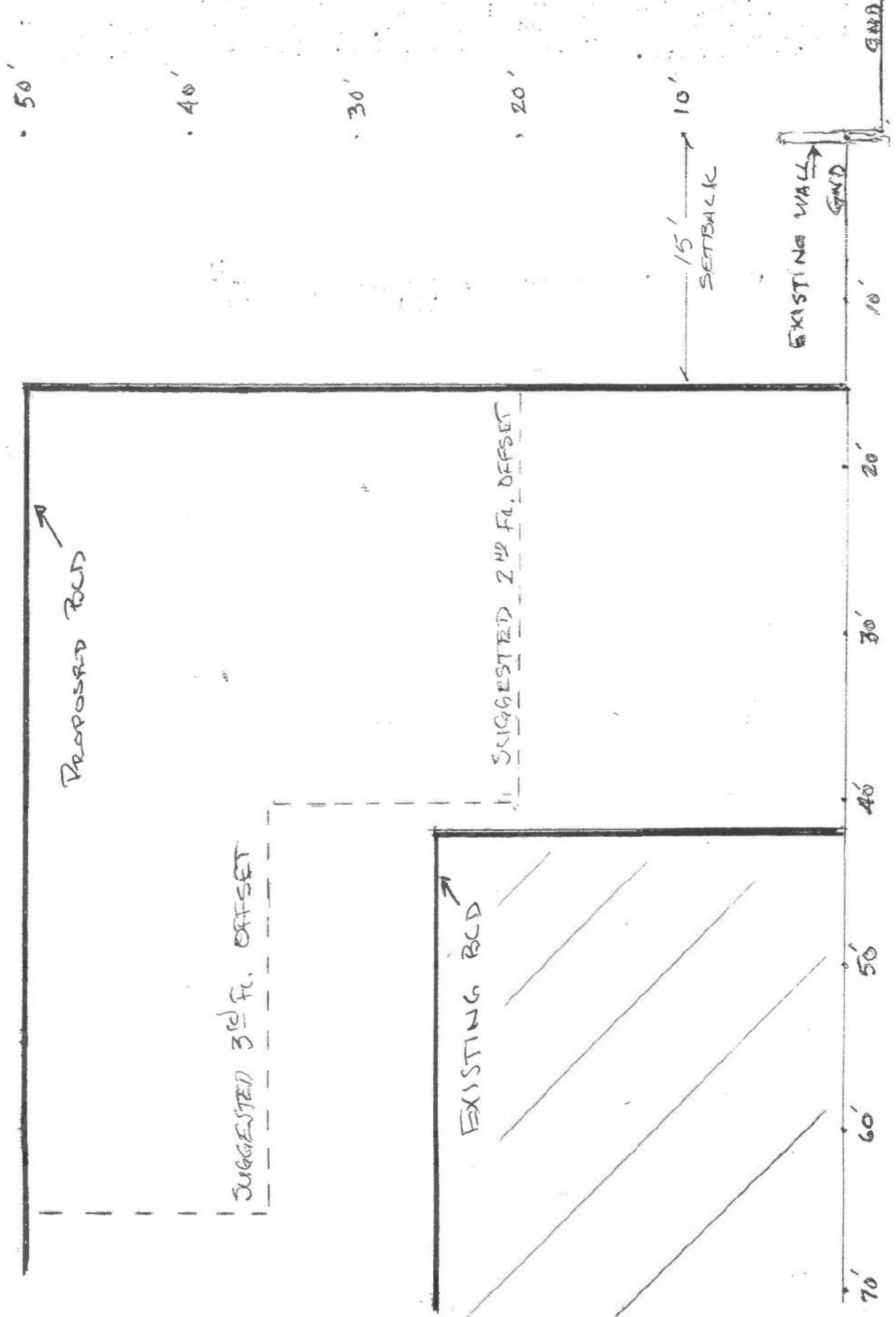
Attachment: Profile So. Elev.

cc: Shaunn Mendrin, Sunnyvale Planning Dept.
Memo to file

7-16-21

SCALE = 2' / SQ

PROFILE SO. ELEV.



September 17, 2021

Shaunn Mendrin, City Planner
City of Sunnyvale
456 W. Olive Ave.
Sunnyvale, CA 94086

Dear Shaunn:

Enclosed, for your information, is a summary of our meeting with Dan Minkoff and Will Birdsey of The Minkoff Group on August 25, 2021 regarding their proposed development at 490 S. Mathilda Avenue, Project #2021-7280.

Sincerely,



Ray Johnson

Encl.

[REDACTED]
September 13, 2021

Dan Minkoff
Will Birdsey
[REDACTED]

Re: 490 S. Mathilda, Project #2021-7280

Dear Dan and Will,

Thank you for meeting with us on Wednesday, August 25, to go over some of our concerns and show us your latest design for the eastern end of your proposed building.

You assured us that noise from the underground parking ventilation would not be a factor as the muffled exhaust is approximately in the middle on the north side of the building and there would be no noise from the building A/C as it would be in operation only during the day, and lights inside the structure would not be on at night.

We had a lengthy discussion regarding your plan to plant trees along the eastern edge of your property to potentially shield some of your structure from our residential properties, including variety, size, eventual height, speed of growth. We pointed out that the trees need to be known for growing well in this area, otherwise they won't be able to grow to their full height and provide any significant screening. The size of the landscape buffer area is far too narrow to sustain the growth of large screening trees. You are depending on this screening but not providing the landscape area for the screening to be successful. This is a big problem. It is a major concern of ours that is still unresolved. We are, however, encouraged you are diligently pursuing options and design changes, including using structured soil that will allow the root structure of the trees to thrive. With all that said, foliage cannot be relied upon to screen this massive 50' high structure, which is why the 2nd and 3rd floors need to be further stepped back to mitigate the effect the enormous height of the proposed design will have on its eastern residential neighbors.

The materials you described for the exterior surface of the structure being opaque and **non-glare** is a big improvement and we would appreciate seeing not only a sample of that material at our next meeting, but also the locations where it has been used on other buildings in our area.

We are hopeful that the window design for the south end of the building can be altered to use, as Dan sketched out, the horizontal concept beginning 6'-7' up from the floor to replace the current floor to ceiling vertical design.

Again, we were disappointed with the minimal step back proposed for the 2nd and 3rd floors and look forward to a future design that moves the eastern edge of those floors significantly farther back from the eastern building line as expressed in our previous letter.

You mentioned that story poles were out of the question as they would disrupt the current tenants. We are of the opinion that the temporary inconvenience of the story poles would be acceptable to the current tenants, and that they are absolutely necessary to provide visualization of the mass of your current building design and better understand the massive impact it will have on the surrounding residential properties.

A question in our previous letter regarding how storm water will be treated wasn't covered in this meeting. How do you propose to deal with storm water?

We look forward to continuing discussions as you continue to refine your design.

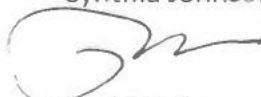
Sincerely,



Ray Johnson



Cynthia Johnson



Paul Reed

cc: Shaunn Mendrin - Sunnyvale Planning Department
Memo to file

Note: This letter was written prior to receiving the Neighborhood Meeting Notice, stating your proposed building has grown from 3 to **4** stories and from 50 to **70** feet tall. Quite a spurt of growth in the several weeks since our last meeting with you. What happened to openness and candor? Now story poles are needed more than ever.

[REDACTED]
October 13, 2021

Dan Minkoff
Will Birdsey
[REDACTED]
[REDACTED]

Re: 490 S. Mathilda, Project #2021-7280

Dear Dan and Will,

Thank you for arranging the Neighborhood Zoom Meeting. Also, thank you, Will, for clarifying the terminology the City is using to describe your building and sending the drawings to us.

Due to an audio problem when I asked you the question regarding upper story step-backs, the delayed feedback I was receiving made it difficult to be coherent. Fortunately, you were able to catch my drift.

Due to the sound feedback issue, we did not pursue asking the following questions:

- What is the exterior surface material being used for the Eastern elevation – is it opaque? Does it differ from the material used on the other 3 sides of the structure?
- What is its reflective factor (%) of your proposed surface material versus that for flat glass versus that for the cementitious panels being used by the entrance on the western end of the building?
- What is the "R" rating of the proposed exterior walls?
- In the slide "A Northern California Building, dated 9-16-21" it appears the landscaping strip behind our house (from the Olive St. sidewalk to the 4 plex) has been reduced in width and could not accommodate the trees we had discussed at our second meeting. How wide is it and what is the new screening plan?
- What are the building setbacks from the property line on the East, North and South sides of the building?
- What are the sidewalk widths for this project on Mathilda and on Olive? On Olive, what is the distance from the street curb to the southern side of the structure?
- Looking at the birds eye view of the roof would you walk us through the height of those improvements above the 50' height of the roof (the gray area) along with their purpose (uses) ... starting with the 12,000 square foot white area,

then the light and dark green -- orange etc. What are the specific uses planned under each of the trellised areas?

- What are the specifics of what would otherwise not be allowed on the 4th floor without a Development Agreement?
- What vehicle height will the underground parking accommodate?
- Where are the construction workers going to park? What kind of disruption to the traffic flow on Olive will take place during demolition, excavation, and construction?
- What are the hours of construction allowed and on what days of the week?
- What is the time from start to completion for each phase of the development?

Generally speaking, when new commercial structures abut to a residential use, the upper stories are significantly stepped back to provide relief from the wall effect so that designs like this proposal would have less negative impact imposed on its residential neighbors, such as was done on the apartment building at 481 Mathilda on the Charles Street side of the building. Why has this concept been ignored in this design? Note: We were disappointed in the architect's ambiguous non-response to this step back question.

When during this process will "story poles" be erected so we in the neighborhood can actually visualize the impact the project's massiveness will have on us? We continue to believe story poles are an essential part of this process as stated in our letter to Shaunn.

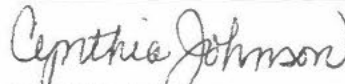
If, as you have stated, this is to be a 100-year structure then it needs to be done right because there won't be a redo during any of our lifetimes.

Looking forward to receiving your input at our next meeting.

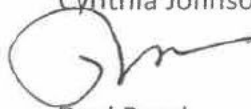
Sincerely,



Ray Johnson



Cynthia Johnson



Paul Reed

cc: Shaunn Mendrin

page 2 of 2

From: [Karen and Mike Kapolnek](#)
To: [Shaunn Mendrin](#)
Subject: Olive Street Project
Date: Sunday, December 26, 2021 1:47:42 PM

ATTN: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Mr. Shaunn Mendrin,

I live at [REDACTED] in the Sunnyvale Heritage District in the now 100-year-old 1-story bungalow my husband and I purchased in 1989. After 32 plus years living here, I am writing to offer my perspective on the proposed 4-story development at our north cross street, the 300 block of W Olive Avenue.

Our home is on the west side of S Taaffe St, so bordered by 2-story apartments on the back side. From personal experience, there is no real mitigation to the effects of a tall building adjacent to one's property. The visual impact of 2 stories cannot be fully screened. Noise cannot be blocked. True visual privacy cannot be created. Therefore, the proposed 4-story building would be a significant impact on the quality of life for the residents of the single-story home at the southwest corner of the 400 block of S Taaffe St.

Beyond that, a four-story building at the entry to the Heritage District impacts the entire neighborhood. It introduces traffic issues such as safety in a heavily walked area, noise and pollution. Even if the proposed parking space count appears adequate, I am concerned that the tandem parking spaces will be unused due to their inconvenience and cause overflow to Olive, S Taaffe, and S Frances. I am also concerned about the proposed drop from four driveways to a single driveway with a much higher expected tenancy.

These expected traffic consequences and as well as the proposed building's dominating size would disturb and disrupt any residential area, but are especially incongruent with a historic area. Such a large gateway building to the Heritage District degrades its very nature--the quiet and scale that the City aims to preserve.

For these reasons, I urge the City of Sunnyvale to adhere to the Downtown Specific Plan square feet and 50' height limit (including any allowable "overages") and the guidelines to gradually scale construction mass and heights down to adjacent neighborhoods. I do not believe that any developer provided community benefits will compensate for the losses to the current historic nature and neighborly environment of the Heritage District.

Lastly, I support the requested story pole installation so that the community and City staff can have an opportunity to view them and provide input. Barriers offered by the developer (e.g., precedent, inconvenience to businesses) do not seem insurmountable—at the least, a well-advertised weekend installation should be pursued, longer if the current businesses can support it.

Thank you,
Karen Kapolnek

[REDACTED]

[REDACTED]

Name	City	State	Postal Code	Country	Signed On
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Gary Woo	Rosharon	TX	77583	US	6/21/22
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anne langer	Pinole	CA	94086	US	6/25/22
Marija Vitanovic	Washington		20001	US	6/25/22
Alex Reagan	Oneida		37841	US	6/25/22
Brandon Roman	Medford		11763	US	6/25/22
Annick Richardson	Dayton	OH	45429	US	6/25/22
bella Bumble	Brooklyn		11210	US	6/25/22
Brenda Tucker	Covington		24426	US	6/26/22

Name	City	State	Postal Code	Country	Signed On
Kristi Chiocco	Sunnyvale	CA		US	6/18/22
Kimberly Moya	Palo Alto	CA	94306	US	6/18/22
Ray Johnson	Sunnyvale	CA	94086	US	6/19/22
Lisa Maynard	Sunnyvale	CA	94086	US	6/21/22
Sonal Gupta	Sunnyvale	CA	94086	US	6/21/22
Lynn Kristy	Sunnyvale	CA	94087	US	6/21/22
Michael Kempton	Sunnyvale	CA	94085	US	6/21/22
Apurva Samudra	Sunnyvale	CA	94086	US	6/21/22
Linna Harnack	Sunnyvale	CA	94086	US	6/21/22
Bill Weaver	Sunnyvale	CA	94086	US	6/21/22
Jennifer Shannon	Sunnyvale	CA	94087	US	6/21/22
Olaf Hirsch	Sunnyvale	CA	94086	US	6/22/22
Melinda Hamilton	Sunnyvale	CA	94086	US	6/22/22
Lisa Springs	Sunnyvale	CA	94086	US	6/22/22
FRANKLIN SMOOT	Sunnyvale	CA	94086	US	6/22/22
Paul King	Sunnyvale	CA	94087	US	6/22/22
Mike Kapolnek	Sunnyvale	CA	94086	US	6/22/22
Ronald Ritucci	Sunnyvale	CA	94086	US	6/22/22
Carly Moya	Sunnyvale	CA	94086	US	6/22/22
Stephen Kempf	Sunnyvale	CA	94087	US	6/22/22
Greg Gimenez	Sunnyvale	CA	94086	US	6/23/22
Patricia Patton	Sunnyvale	CA	94087	US	6/23/22
Karen Kapolnek	Sunnyvale	CA	94086	US	6/23/22
Garrett Moya	Sunnyvale	CA	94087	US	6/23/22
Allison Moya	Sunnyvale	CA	94086	US	6/24/22
Laurel Ashcraft	Sunnyvale	CA	94086	US	6/24/22
Jean Oeschger	Sunnyvale	CA	94086	US	6/24/22
Anne Langer	Sunnyvale	CA	94086	US	6/25/22