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October 21, 2025

VIA EMAIL

Mr. Jeffrey Cucinotta
Senior Planner
City of Sunnyvale
456 W. Olive Avenue
Sunnyvale, CA 94086

Re: 1123 Lawrence Expressway (PLNG-2023-0302)
Requested Waivers from Development Standards

Dear Jeffrey:

As you know, this firm represents The True Life Companies (“TTLC”) in connection with the proposed project to develop 101 townhome units and 23,104 sq. ft. of commercial uses (the “Project”) at 1123 Lawrence Expressway (the “Project Site”). The Project Site meets the criteria for the City’s Commercial Incentive Program, as it is: (1) designated Village Mixed Use under the General Plan, (2) not identified in the City’s Housing element as an opportunity site for lower-income housing, (3) located at least 1,700 feet walking distance from other commercial uses, (4) located north of El Camino Real, and (5) comprised of 6 or fewer acres. As a result, under the City’s Inclusionary Housing Ordinance, the Project has the option of providing a commercial component equivalent to at least 10% of the total project in place of providing below-market-rate units. Qualifying projects are also entitled to waivers from development standards that would physically preclude construction at the proposed residential density and one “concession” as defined by California Government Code section 65915(k).

As a result of the foregoing, TTLC requests the waivers from local development standards listed on Attachment 1, which would otherwise preclude construction of the proposed 101 townhomes. TTLC also requests, as a concession, exemption from the requirements of SMC Section 19.52.030, which generally requires public art to be included in certain private developments or an in-lieu payment to the Public Arts Fund. Thank you for your consideration, and we look forward to presenting the Project to the Planning Commission on October 27. Please contact me or Kelley Rutchena with any questions.

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Sincerely,

A handwritten signature in blue ink that reads "Dana Kennedy". The signature is fluid and cursive, with the first name "Dana" and last name "Kennedy" clearly legible.

Dana Kennedy

DK:maa

cc: Kelley Rutchena

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ATTACHMENT 1

Requested Waivers

RESIDENTIAL

- 1. Exceedance of Maximum Building Height:** SMC Section 19.32.020 establishes a maximum building height of 3 stories/35 feet, where the proposed project is approximately 40 feet and 6 inches in height for the townflats building style and approximately 36 feet and 4 inches for the rowtowns building style.
- 2. Exceedance of Maximum Building Height Near Single-Family Zoning:** SMC Section 19.32.040 establishes a maximum building height of 30 feet for buildings constructed or erected in any commercial or industrial zoning district within seventy-five feet of the property line of property located in a single-family residence zoning district if the existing buildings are two-story or the lot is undeveloped. The project proposes a maximum building height of approximately 40 feet and 6 inches for the townflat building style and approximately 36 feet and 4 inches for the rowtown building style.
- 3. Reduction of Front Yard Setback:** SMC Section 19.34.030 and SMC Section 19.34.040 establish a minimum front yard setback of 25 feet and 3 inches, where the project proposes a front yard setback of approximately 7 feet and 6 inches at the Lawrence Expressway frontage and approximately 5 feet and 2 inches at the Lakedale Way frontage.
- 4. Reduction of Side Yard Setback:** SMC Section 19.34.030 establishes a minimum side yard setback of 11 feet and 3 inches at the street level, where the project proposes a side yard setback of approximately 10 feet and 4 inches along Buildings 13, 14, and 15. SMC Section 19.34.030 and SMC Section 19.34.080 require a second story side yard setback of 14 feet and 3 inches, a third story side yard setback of 17 feet and 3 inches, and a fourth story side yard setback of 20 feet and 3 inches. The project proposes a side yard setback of approximately 10 feet and 4 inches at the second and third floors along Buildings 13, 14, and 15.
- 5. Reduction of Rear Yard Setback:** SMC Section 19.34.030 requires a rear yard setback of 25 feet and 3 inches, where the project proposes an approximate 10-foot setback along Building 15.
- 6. Reduction of Distance Between Main Buildings:** SMC Section 19.48.030 requires a minimum distance between buildings of 29 feet, where the project proposes approximately 16 feet between buildings.
- 7. Reduction of Useable Open Space:** SMC Section 19.37.040(a) and SMC Section 19.37.100(c) require a minimum of 40,400 square feet of useable open space, where the project proposes approximately 31,143 square feet.
- 8. Removal of Community Room/Club House Requirement:** SMC Section 19.38.045 requires a 450 square foot community room/clubhouse for multi-family residential developments. The project proposes to waive this requirement.
- 9.Reduction of Private Balcony Dimensions:** SMC Section SMC 19.37.100(d) requires a minimum of 7 feet in any direction for the dimensions of private balconies, where the project proposes balconies with 4-foot dimensions for 85 units of the proposed 101 units.
- 10. Ground Equipment Screening:** SMC Section 19.48.100 prohibits locating mechanical equipment (i.e. A/C units) between the face of a building and the street. The project proposes A/C units between Buildings 1 and 8 and Lakedale Way.
- 11. Unassigned Parking.** SMC Section 19.46.060 requires a certain number of unassigned spaces based on bedroom count and the number and type of assigned parking space provided in a project. The project instead proposes a total of 50 unassigned parking spaces (0.5 unassigned spaces/unit).

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12. Reduction of Parking Lot Shading: SMC Section 19.46.120(g) requires a minimum of 50 percent parking lot shading, where the project proposes approximately 28.2 percent.

COMMERCIAL

13. Exceedance of Maximum Building Height Near Single-Family Zoning: SMC Section 19.32.040 establishes a maximum building height of 30 feet for buildings constructed or erected in any commercial or industrial zoning district within seventy-five feet of the property line of property located in a single-family residence zoning district if the existing buildings are two-story or the lot is undeveloped. The project proposes a maximum building height of approximately 36 feet for the commercial building.

14. Commercial Front Yard Setback: SMC Section 19.34.030 requires a minimum front yard setback of 70 feet in C-1 districts, where the project proposes 6 feet and 9 inches.

15. Parking Count. SMC Section 19.46.100 requires: 92 spaces for the proposed nonresidential uses, where the project proposes 51 spaces.

16. Removal of Loading Space: SMC Section 19.46.100(g)(4) requires one (1) loading space for general retail and service uses, where the project proposes to waive this requirement.

17. Landscaped Area. SMC Section 19.37.040 requires a minimum landscaped area, consisting of a combination of the minimum parking lot landscaped area, to be at least 20% of the lot area, where the project proposes approximately 19.3 percent (7,080 sq. ft. rather than 7,321 sq. ft.).

18. Solar Access. SMC Section 19.56.020 prohibits construction that would block or reduce an adjacent rooftop's exposure to the sun to an extent greater than ten percent daily during the hours between nine a.m. to three p.m., Pacific Time, throughout any solar cycle. The project has the potential to conflict with solar access greater than ten percent over the course of the three hundred sixty-five-day solar cycle.

19. Reduction of Parking Lot Shading: SMC Section 19.46.120(g) requires a minimum of 50 percent parking lot shading, where the project proposes approximately 28.2 percent.

OVERALL PROJECT

20. Reduction of Landscape Buffer: SMC Section 19.37.040(b)(1) requires a minimum landscape buffer of 10 feet, where the project proposes approximately 4 feet.

21. Landscape Buffer Wall Design and Height: SMC Section 19.37.040(b)(3) requires a decorative masonry wall 6 feet in height, where the project proposes to maintain the existing perimeter wall.

22. Reduction of Landscape Frontage Strip: SMC Section 19.37.040(c) requires a minimum landscape frontage strip of 15 feet, where the project proposes approximately 6 feet.