



# City of Sunnyvale

## Meeting Minutes

### Planning Commission

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Monday, October 23, 2023

7:00 PM

Online and Bay Conference Room  
(Room 145), City Hall,  
456 W. Olive Ave.,  
Sunnyvale, CA 94086

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**No Study Session | Public Hearing - 7:00 PM**

#### **NO STUDY SESSION**

#### **7 P.M. PLANNING COMMISSION MEETING**

#### **CALL TO ORDER**

Chair Pyne called the meeting to order at 7:00 PM.

#### **SALUTE TO THE FLAG**

Chair Pyne led the salute to the flag.

#### **ROLL CALL**

**Present:** 5 - Chair Martin Pyne  
Vice Chair Nathan Iglesias  
Commissioner Daniel Howard  
Commissioner Michael Serrone  
Commissioner Neela Shukla  
**Absent:** 2 - Commissioner Galen Kim Davis  
Commissioner John Howe

The absences of Commissioner Davis and Commissioner Howe are excused.

#### **ORAL COMMUNICATIONS**

None.

#### **CONSENT CALENDAR**

There were no public speakers for this agenda item.

MOTION: Commissioner Howard moved and Vice Chair Iglesias seconded the

motion to approve the Consent Calendar.

The motion carried by the following vote:

**Yes:** 5 - Chair Pyne  
Vice Chair Iglesias  
Commissioner Howard  
Commissioner Serrone  
Commissioner Shukla

**No:** 0

**Absent:** 2 - Commissioner Davis  
Commissioner Howe

1. [23-0999](#) Approve Planning Commission Meeting Minutes of October 9, 2023

Approve Planning Commission Meeting Minutes of October 9, 2023 as submitted.

#### **PUBLIC HEARINGS/GENERAL BUSINESS**

2. [23-0994](#) **REQUEST FOR CONTINUANCE TO NOVEMBER 13, 2023**

**Proposed Project:** **USE PERMIT** to modify an existing wireless telecommunications facility (monopole) for Dish Wireless: Install three antennas, six new RRUs, and associated equipment. Increase total tower height from 59 feet to 71 feet.

**Location:** 1070 Stewart Drive (APN: 205-23-019)

**File #:** PLNG-2023-0197

**Zoning:** M-S/POA (Industrial and Service, Place of Assembly Combining District)

**Applicant / Owner:** Galt Wireless / Public Storage Inc.

**Environmental Review:** Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

**Project Planner:** Drew Taplin, (408) 730-7407,  
dtaplin@sunnyvale.ca.gov

Planning Officer Shaunn Mendrin advised that staff requests the continuation of this agenda item to the November 13, 2023 Planning Commission meeting.

Chair Pyne opened the Public Hearing.

There were no public speakers for this agenda item.

Chair Pyne closed the Public Hearing.

MOTION: Vice Chair Iglesias moved and Commissioner Howard seconded the motion to continue the discussion on Public Hearing Agenda Item 2 to Monday, November 13, 2023.

The motion carried by the following vote:

**Yes:** 5 - Chair Pyne  
Vice Chair Iglesias  
Commissioner Howard  
Commissioner Serrone  
Commissioner Shukla

**No:** 0

**Absent:** 2 - Commissioner Davis  
Commissioner Howe

3. [23-0960](#) **Proposed Project:**  
**SPECIAL DEVELOPMENT PERMIT:** for the demolition of an existing two-story office building and the construction of a 29-unit, seven-story apartment building.  
**Location:** 1202 Kifer Road (APN: 216-27-018)  
**File #:** 2021-7110  
**Zoning:** LSAP / MXD-I (Lawrence Station Area Plan Flexible Mixed Use I)  
**Applicant / Owner:** Pacific General Construction (applicant) / Neoelixir, Inc. (owner)  
**Environmental Review:** Class 32 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.  
**Project Planner:** Momo Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Senior Planner Momo Ishijima presented the staff report with a slide presentation.

Commissioner Serrone confirmed with Senior Planner Ishijima that while an environmental checklist was not created for the proposed project, Attachment 5 of the staff report includes the findings that meet the California Environmental Quality Act's (CEQA) Class 32 Categorical Exemption. Additionally, staff reviewed environmental studies for the proposed project, including studies on greenhouse gas emissions, noise, and arborist reports.

Commissioner Serrone inquired about the lack of guest parking included in the proposed project plans. Senior Planner Ishijima noted that the proposed project

exceeds the 2016 Lawrence Station Area Plan (LSAP) requirements for parking. She added that a Parking Management Plan could be submitted to consider ways to include guest parking on the proposed project site.

Vice Chair Iglesias confirmed with Senior Planner Ishijima that no changes were made to the proposed project plans since they were reviewed by the Planning Commission at the study session on September 25, 2023.

Chair Pyne asked about whether there are any concerns regarding hazardous pollutants due to the proposed project site's previous use as a gas station. Senior Planner Ishijima answered that Recommended Condition of Approval BP-29 involves the completion of an environmental risk assessment that will include a vapor assessment to determine whether any mitigation measures are necessary.

Vice Chair Iglesias and Senior Planner Ishijima discussed the role that Below Market Rate (BMR) units would play and how they may be managed by both the City's Housing Division and the proposed development's leasing team.

Chair Pyne opened the Public Hearing.

Howai Lai, project lead at Studio T-SQ, Inc., presented information about the proposed project.

Commissioner Howard suggested that there should be access to the proposed project's bike room from its lobby rather than its garage.

Vice Chair Iglesias and Mr. Lai discussed the required storage units for the proposed project.

Commissioner Shukla confirmed with Mr. Lai that the proposed project will likely be under construction for 18 to 20 months, and Mr. Lai provided a brief explanation on how this timeframe was deduced.

Chair Pyne and Mr. Lai discussed the scale of the proposed trees against the proposed development.

There were no public speakers for this agenda item.

Mr. Lai presented additional information about the proposed project.

Chair Pyne closed the Public Hearing.

Vice Chair Iglesias commented on the innovative nature of the proposed project and shared his concerns regarding the limited parking spaces it provides. He added that he is in support of the proposed project.

Senior Planner Ishijima clarified that while the Conditions of Approval for the proposed project do not require a parking maintenance plan, Recommended Conditions of Approval AT-6 and AT-12 address parking lot maintenance and ongoing automated mechanical parking operation maintenance for the proposed project. She added that Assembly Bill 2097 prohibits the City from enforcing minimum parking spaces since the proposed project is located near transit.

Commissioner Shukla spoke in support of the proposed project, noted that it is innovative, and stated that its proximity to transit and limited parking spaces may encourage the use of other modes of transportation for generations to come.

MOTION: Commissioner Howard moved and Commissioner Serrone seconded the motion to approve Alternative 1 – Approve the Special Development Permit with the recommended findings in Attachment 3 and conditions of approval in Attachment 4, with modifications.

The modifications to the Conditions of Approval are as follows:

1.) Recommended Condition of Approval PS-3 must be added and should read as follows:

PS-3. DEMOLITION OF WELLS: (ADDED BY PLANNING COMMISSION)

Any wells on the property must be properly destroyed under permit from the Santa Clara Valley Water District. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage. Contact Valley Water's Well Ordinance Program Hotline at (408) 630-2660. If the wells will continue to be used following development, they must be protected so that they do not become lost or damaged during completion of permitted activity. Submit copies of permits to Sunnyvale staff. [COA][PLANNING/PUBLIC WORKS]

2.) Recommended Condition of Approval BP-30 must be added and should read as follows:

**BP-30. PARKING MANAGEMENT PLAN: (ADDED BY PLANNING COMMISSION)**

A Parking Management Plan is subject to review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:

- a) A clear definition of “guest” as proposed by the property manager and subject to review and approval by the Director of Community Development.
- b) The property manager may specify that 25% to 75% of unassigned spaces be reserved for guest use.
- c) Clearly indicate that unassigned spaces cannot be rented or reserved for a specific resident and will be available for parking on a first come, first serve basis without a fee or charge.
- d) Tenants shall use their assigned parking spaces prior to using unassigned parking spaces.
- e) Prohibit tenants from parking RV’s, trailers, or boats in assigned spaces.
- f) Notify potential residents that number of parking spaces provided for each unit on-site as per the approved plans. [PLANNING] [COA]

3.) Recommended Condition of Approval EP-2 must be modified and should read as follows:

**EP-2. COMPLETE OFF-SITE IMPROVEMENT PLAN SET: (MODIFIED BY PLANNING COMMISSION)**

A complete plan check set applicable to the project, which may include street improvement plans, streetscape plans, streetlight plans, photometric analysis, signing/stripping plans, erosion control plans, and traffic control plans shall be submitted as part of the first off-site improvement plans, including on-site and off-site engineering cost estimate and the initial Engineering and Inspection plan review fee. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. Sheets C2.1, C3.1, and C3.2 of Preliminary Improvement Plan – Grading and Utility Plan dated 7/24/23 are subject to change during plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links: <https://www.sunnyvale.ca.gov/home/showpublisheddocument/1654/6378208565828>

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<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1656/6380973473043>

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[COA] [PUBLIC WORKS]

Commissioner Howard voiced his support of the proposed project and emphasized its proximity to transit. He also added that the area surrounding the proposed project site is bicycle-friendly.

Planning Officer Shaunn Mendrin confirmed that a Condition of Approval will be added that will require a Parking Management Plan for the proposed project. He explained that this is a standard condition that is generally included. Senior Planner Ishijima provided additional details on this condition later in the meeting. Commissioner Howard agreed to the inclusion of this condition in the motion.

Commissioner Serrone spoke in favor of the proposed project and the motion, stated that the limited parking spaces on the proposed project site will encourage the use of other modes of transportation, and noted that the Parking Management Plan will address concerns of overflow parking onto the Costco parking lot. He also highlighted the attractive features of the proposed project.

Chair Pyne voiced his support of the motion and the proposed project's innovativeness. He added that the proposed project is in alignment with the LSAP goals and that he may make the findings to support the Special Development Permit.

Commissioner Howard commented that the Lawrence Caltrain station offers paid parking spaces that are near the proposed development. He added that the revenue from these parking spaces may result in a railroad.

Commissioner Shukla expressed her hope that the proposed project is successful and that any parking concerns will be resolved.

The motion carried by the following vote:

**Yes: 5 -** Chair Pyne  
Vice Chair Iglesias  
Commissioner Howard  
Commissioner Serrone  
Commissioner Shukla

**No:** 0

**Absent:** 2 - Commissioner Davis  
Commissioner Howe

This decision is final unless appealed or called up for review by the City Council by 5:00 PM on Tuesday, November 7, 2023.

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

None.

**INFORMATION ONLY REPORTS/ITEMS**

None.

4. [23-1000](#) Planning Commission Proposed Study Issues, Calendar Year: 2024  
(Information Only)

**NON-AGENDA ITEMS AND COMMENTS**

**-Commissioner Comments**

None.

**-Staff Comments**

Planning Officer Shaunn Mendrin announced that the Fair Political Practices Commission (FPPC) is offering a free webinar on the Levine Act's (Gov. Code Section 84308) new "pay to play" rules (SB 1439) which will take place on November 1, 2023.

Planning Officer Mendrin informed the Planning Commissioners that the project at 1150-1170 Kifer Road, which was approved by the Planning Commission on October 9, 2023, has been appealed and will be reviewed at a City Council meeting on a date to be determined.

**ADJOURNMENT**

Chair Pyne adjourned the meeting at 8:03 PM.