



City of Sunnyvale

Excerpt Meeting Minutes - Final Planning Commission

Monday, October 9, 2023

6:00 PM

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

Special Meeting: Study Session - 6:00 PM | Public Hearing - 7:00 PM

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Pyne called the meeting to order at 7:05 PM.

ROLL CALL

Present: 7 - Chair Martin Pyne
Vice Chair Nathan Iglesias
Commissioner Galen Kim Davis
Commissioner Daniel Howard
Commissioner John Howe
Commissioner Michael Serrone
Commissioner Neela Shukla

PUBLIC HEARINGS/GENERAL BUSINESS

3. [23-0932](#) **Proposed Project:** Related applications on a 5.82-acre site:
 SPECIAL DEVELOPMENT PERMIT: to demolish an existing surface parking lot at the rear of two existing office/R&D buildings and construct 225 apartment units at a density of 112.5 dwelling units per acre in an eight-story building inclusive of three levels of above-ground parking.
 TENTATIVE PARCEL MAP: to relocate the existing lot line between the two office/R&D building lots, resulting in a 3.82-acre lot for the office/R&D buildings and a two-acre lot for the apartment development.
Location: 1150-1170 Kifer Road (APNs: 205-50-034 and 205-50-035)
File #: 2022-7168
Zoning: MXD-I (Flexible Mixed-Use I)
Applicant / Owner: Prometheus Real Estate Group (applicant) / 1150 Kifer LP (owner)
Environmental Review: No additional review required as per CEQA

Guidelines 15162 and 15168(c)(2) and (4) - environmental impacts of the project are addressed in the 2016 Lawrence Station Area Plan Environmental Impact Report (EIR - State Clearinghouse No. 2013082030) and 2021 Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Subsequent Environmental Impact Report (SEIR - State Clearinghouse No. 2019012022)
Project Planner: George Schroeder, (408) 730-7443, gschroeder@sunnyvale.ca.gov

Principal Planner George Schroeder presented the staff report with a slide presentation.

Commissioner Howe, Chair Pyne, Commissioner Davis, Commissioner Serrone, and Commissioner Shukla disclosed that each of them separately engaged in discussions regarding the proposed project with the applicant team through email, telephone, and either virtual or in-person meetings.

Commissioner Howard noted that the shared use path with Savoy is not wide enough. He and Principal Planner Schroeder discussed how the City coordinates shared paths such as this one that have different property owners.

Commissioner Serrone and Principal Planner Schroeder discussed the requirements for the shared parking between the office and residential developments and whether these requirements would apply if either of the developments was demolished and redeveloped.

Commissioner Serrone confirmed with Principal Planner Schroeder that the parking management plan addresses parking for the residential development. He added there is a potential for unbundled parking to be included since it is encouraged by the Lawrence Station Area Plan (LSAP).

Commissioner Serrone and Principal Planner Schroeder discussed how the Lawrence Expressway Grade Separation project pertains to the proposed project.

Commissioner Shukla and Principal Planner Schroeder discussed the outcome for properties that will be impacted by the Lawrence Expressway Grade Separation project.

Chair Pyne and Principal Planner Schroeder discussed claims made by the Laborers International Union of North America (LIUNA) that the proposed project does not incorporate the Feasible Air Quality Mitigation Measures Required by the

2016 LSAP Environmental Impact Report (EIR) and 2021 LSAP Update/Intuitive Surgical Corporate Campus Project Subsequent EIR.

Chair Pyne opened the Public Hearing.

Jonathan Stone (applicant) and Alan Jones (project architect) presented images and information about the proposed project.

Upon Commissioner Serrone's request, Mr. Stone explained how Lawrence Caltrain station noise will be mitigated.

Commissioner Serrone confirmed with Mr. Stone that the proposed project will include garage-specific elevators.

Commissioner Shukla confirmed with Mr. Stone that the proposed project will include a variety of unit types (from studios to three-bedroom units and two-story townhome units) to accommodate diverse needs.

Rene Baez, field representative for Carpenters Local 405, spoke of the importance of apprenticeship programs, healthcare for construction workers and their families, and hiring locally. He urged the developer of the proposed project to enforce these labor standards among their construction team.

Beatrice Mirelez, Sunnyvale resident and field representative for Carpenters Local 405, explained the importance of livable wages, healthcare benefits, apprenticeship programs, and hiring locally as these standards pertain to construction workers.

Victoria Yundt, representative of Lozeau | Drury LLP and speaking on behalf of LIUNA, advocated for the continuation of the proposed project to a later date to allow the public additional time to review the California Environmental Quality Act (CEQA) checklist that was prepared for the proposed project. She also proposed that the Planning Commission require the preparation of a subsequent or supplemental EIR or Mitigated Negative Declaration (MND) for the proposed project to analyze and address the environmental impacts that were not analyzed in the 2016 LSAP EIR or the 2021 LSAP Update/Intuitive Surgical Corporate Campus Project Subsequent EIR.

Commissioner Shukla confirmed with Planning Officer Shaunn Mendrin that the hiring of local construction workers is negotiated between project developers and

local unions for construction workers.

Mr. Stone presented additional information about the proposed project.

Chair Pyne closed the Public Hearing.

Commissioner Howard confirmed with Principal Planner Schroeder that a public noticing period for the proposed project's CEQA checklist is not mandated since it is consistent with the impacts noted in the 2016 LSAP EIR or the 2021 LSAP Update/Intuitive Surgical Corporate Campus Project Subsequent EIR. Principal Planner Schroeder also confirmed that the Planning Commission's approval of the proposed project may be appealed to the City Council within 15 days.

At Chair Pyne's request, Senior Assistant City Attorney Rebecca Moon commented that staff does not believe the claims raised by LIUNA are meritorious. She added that staff will provide a response to these claims if the proposed project is appealed to the City Council.

Commissioner Davis confirmed with Principal Planner George Schroeder the cost of appealing the approval of the proposed project to the City Council.

MOTION: Commissioner Howe moved and Commissioner Davis seconded the motion to approve Alternative 1 – Make the required findings to approve the CEQA determination that the project is consistent with the 2016 Lawrence Station Area Plan Environmental Impact Report and 2021 Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Subsequent Environmental Impact Report and no additional environmental review is required pursuant to CEQA Section 15162 and 15168(c)(2) and (4) and approve the Special Development Permit and Tentative Parcel Map based on the Recommended Findings in Attachment 3 and Recommended Conditions of Approval in Attachment 4, noting the revisions to Attachment 4 outlined in Attachment 9.

Commissioner Howe stated that the proposed project meets the vision and requirements associated with the LSAP.

Commissioner Davis agreed with Commissioner Howe's comments and commended the proposed project's design and the amenities it offers. He also expressed his hope that the proposed project's developers will hire local construction workers if feasible.

Commissioner Howard acknowledged the perspective offered by the representatives for Carpenters Local 405 and spoke in support of a study issue that would explore ways to address their concerns. He also spoke in overall support of the proposed project.

Commissioner Serrone echoed comments made by the Commissioners who spoke before him regarding the proposed project's alignment with the LSAP and concerns raised by the field representatives for Carpenters Local 405. He added that he is in support of the motion as well.

Commissioner Shukla highlighted the proposed project's inclusion of various sizes and types of units, materials, and architectural elements. She spoke in overall support of the proposed project.

Chair Pyne spoke in support of the motion and hiring local construction workers. He commended the proposed project for its inclusion of unbundled parking and low-income units, its proximity to transit, and its preservation of existing redwood trees. Lastly, he noted that he may make the findings to support the proposed project and stated that he has confidence in staff's analysis of concerns raised by LIUNA.

The motion carried by the following vote:

Yes: 7 - Chair Pyne
Vice Chair Iglesias
Commissioner Davis
Commissioner Howard
Commissioner Howe
Commissioner Serrone
Commissioner Shukla

No: 0

This decision is final unless appealed or called up for review by the City Council by 5:00 PM on Tuesday, October 24, 2023.