



City of Sunnyvale

Notice and Agenda

Planning Commission

Monday, December 11, 2023

6:00 PM

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

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

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the Recording Officer.*
- *Online participation: You may provide audio public comment by connecting to the meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

*Meeting call-in telephone number: 833-548-0276 | Meeting ID: 918 2739 0357
(*9 to request to speak | *6 to unmute/mute)*

- *Watch the Planning Commission meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*
- *Submit written comments to the Planning Commission no later than 4 hours prior to the meeting start to planningcommission@sunnyvale.ca.gov or by mail to: Sunnyvale Planning Division, 456 W. Olive Avenue, Sunnyvale, CA 94086-3707*
- *Review recordings of this meeting and past meetings at <https://sunnyvaleca.legistar.com/calendar.aspx> or <http://youtube.com/SunnyvaleMeetings>*

Accessibility/Americans with Disability Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special

assistance to provide public comment, or for other special assistance; please contact the City at least 48 hours prior to enable the City to make reasonable arrangements to ensure accessibility to this meeting. The Planning Division may be reached at 408-730-7440 or at planning@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

6 P.M. SPECIAL PLANNING COMMISSION MEETING (Closed Session)

Call to Order

Call to Order via teleconference and in the Bay Conference Room (Open to the Public).

Roll Call

Public Comment

The public may provide comments regarding the Closed Session item(s). If you wish to address the Planning Commission, please refer to the notice at the beginning of this agenda. Closed Sessions are not open to the public.

Convene to Closed Session

Convene to Closed Session in the Council Conference Room (Closed to the Public).

- A.** [23-1116](#) Closed Session Held Pursuant to California Government Code Section 54957 (a): THREAT TO PUBLIC SERVICES OR FACILITIES
Topic: Council Chambers Security
Consultation with Sunnyvale Department of Public Safety: Phan Ngo,
Director of Public Safety and Jeromy Lima, Public Safety Captain;
Rebecca Moon, Senior Assistant City Attorney

Adjourn Special Meeting

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Call to Order via teleconference and in the Bay Conference Room.

SALUTE TO THE FLAG

ROLL CALL

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address the Planning Commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Planning Commission to take action on an item not listed on the agenda. If you wish to address the Planning Commission, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.

1.A [23-1118](#) Approve Planning Commission Meeting Minutes of November 27, 2023

Recommendation: Approve Planning Commission Meeting Minutes of November 27, 2023 as submitted.

1.B [23-1090](#) **Proposed Project:** Related applications on a 0.15-acre site:
 DESIGN REVIEW: Demolish an existing one-story single-family home and construct a new two-story single-family home resulting in 3,437 square feet gross floor area (2,815 square feet living area, 169 square foot covered patio, and 453 square foot garage) and 791 square foot attached Accessory Dwelling Unit (ADU) resulting in 53.1% Floor Area Ratio (FAR).
 USE PERMIT: to allow a 453 square foot detached garage and carport.
Location: 348 Angel Avenue (APN: 204-50-004)
File #: 2021-7643
Zoning: R-2
Applicant / Owner: HPS (applicant) / Brad Cole (owner)
Environmental Review: A Class 3 Categorical Exemption relieves this project from environmental review under the California Environmental Quality Act (CEQA).
Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Recommendation: Alternative: Find that the Project is Exempt from CEQA Pursuant to CEQA Guidelines Section 15303 and Approve the Design Review and Use Permit with the Conditions of Approval in Attachment 4.

- 1.C [23-1117](#) Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 5 minutes for closing comments.

2. [23-1076](#) **REQUEST FOR CONTINUANCE TO JANUARY 8, 2024**

Proposed Project: Related applications on a 0.21-acre site:
TENTATIVE PARCEL MAP to subdivide a 9,397 square foot lot into two lots (Lot 1 - 5,128 square feet and Lot 2 - 4,269 square feet); and **DESIGN REVIEW** to demolish an existing one-story single-family home and construct two new, two-story single-family homes resulting in 2,587 square feet for Lot 1 (2,184 square feet living area and 403 square feet garage); and 2,570 square feet for Lot 2 (2,166 square feet living area and 404 square foot garage), resulting in 55% total floor area ratio (FAR).

Location: 258 West California Avenue (APN: 204-51-005)

File #: 2019-7552

Zoning: R-2

Applicant / Owner: George Novitskiy (applicant) / Hanson America LLC (owner)

Environmental Review: A Class I Categorical Exemption relieves this project from California Environmental Quality Act (CEQA) provisions

Project Planner: Cindy Hom, (408) 730-7411, chom@sunnyvale.ca.gov

Recommendation: Continue the Planning Commission hearing date to January 8, 2024.

3. [23-1078](#) **Proposed Project:**
Appeal by Roshan Baliga of the Zoning Administrator's decision approving a **USE PERMIT** to allow the demolition of two hotel buildings and construction of a surface parking lot with associated site improvements.
Location: 331 and 385 East Weddell Drive (APNs 110-13-074 and -076)

File #: PLNG-2022-7728

Zoning: M-S/POA - Industrial and Service/Places of Assembly
Combining District

Applicant / Owner: Prologis

Appellant: Roshan Baliga

Environmental Review: A Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act provisions.

Project Planner: Cindy Hom, 408-730-7411, chom@sunnyvale.ca.gov

Recommendation: Alternative 1. Deny the appeal and affirm the Zoning Administrator's decision to approve the Use Permit subject to the Recommended Findings in Attachment 2 and Conditions of Approval in Attachment 3.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

INFORMATION ONLY REPORTS/ITEMS

4. [23-1119](#) Planning Commission Proposed Study Issues, Calendar Year: 2024
 (Information Only)

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

ADJOURNMENT

Notice to the Public:

Any agenda related writings or documents on this agenda distributed to members of the Planning Commission are available by contacting the Planning Division at 408-730-7440 or planning@sunnyvale.ca.gov. Agendas and associated reports are also available 72 hours before the meeting on the City's website at sunnyvale.ca.gov and during normal business hours at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue.

*Planning a presentation for a Planning Commission meeting?
To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings"*

document available on the City website.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the City at or before the public hearing.

PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.