



City of Sunnyvale

Excerpt Meeting Minutes - Draft Planning Commission

Monday, April 22, 2024

7:00 PM

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

No Study Session | Public Hearing - 7:00 PM

CALL TO ORDER

Chair Pyne called the meeting to order at 7:00 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

4. [24-0412](#) **Proposed Project:** Related applications on three sites totaling 1.74 acres:
- GENERAL PLAN AMENDMENT:** Amend the General Plan land use designation from Commercial to either Medium Density (15-24 du/ac) or High Density (25-36 du/ac) Residential.
 - REZONE:** Rezone from Neighborhood Business with a Planned Development combining district (C-1/PD) to either Medium Density Residential (R-3) or High Density Residential (R-4) with a Mixed Use (MU) and Planned Development (PD) combining district.
- File #:** 2022-7146
Location: 1313 South Wolfe Road (APNs 309-10-026 and 309-10-027) and 898 East Fremont Avenue (APN 309-10-015)
Current Zoning: C-1/PD (Neighborhood Business with a Planned Development combining district)
Applicant / Owner: 4Terra Investments (applicant)/Desmond Family Real Estate Limited Partner (Owner)
Environmental Review: Mitigated Negative Declaration

Project Planner: Mary Jeyaprakash, (408) 730-7449,
mjeyaprakash@sunnyvale.ca.gov

Senior Planner Mary Jeyaprakash presented the staff report with a slide presentation.

Commissioner Howard shared his concerns regarding the permitted use of state density bonuses, waivers, and concessions for developments to waive requirements to build commercial space. Planning Officer Shaunn Mendrin confirmed that this is a possible outcome of rezoning.

At Commissioner Serrone's request, Senior Planner Jeyaprakash explained that Sites 2 and 3 are already suitable for residential use, but soil remediation is necessary for Site 1 since it is currently used as a gas station.

Commissioner Serrone confirmed with Senior Planner Jeyaprakash that an economic evaluation deemed a residential and mixed-use development to be feasible for Site 2.

Commissioner Serrone and Senior Planner Jeyaprakash discussed how current state laws permit residential developments on sites designated for Medium Density Residential or High Density Residential with a Mixed Use and Planned Development combining district.

At Commissioner Serrone's request, Principal Planner George Schroeder explained why townhomes are more financially feasible to develop than rental apartments.

Commissioner Serrone confirmed with Principal Planner Schroeder that the Commissioners may consider impacts to the City's General Fund when determining whether to rezone the subject site. Derek Braun, Principal at Strategic Economics, provided additional information on this subject.

Commissioner Serrone and Mr. Braun discussed the chart depicted on page 18 of Attachment 9 and the implications that findings have on the City's retail spaces.

Commissioner Serrone confirmed the intended uses of Sites 1, 2, and 3 with Senior Planner Jeyaprakash.

Commissioner Davis questioned why developments of higher densities on smaller parcels are not being considered. Senior Planner Jeyaprakash responded that

developments must meet City standards for such items as parking, zoning, setbacks, open space, and landscaping.

Commissioner Davis disclosed that he has been in continuous email communication with the applicant for the proposed project. He also mentioned that while he lives within 1,000 feet of the proposed project, the Fair Political Practices Commission (FPPC) ruled that his recusal is not required.

Commissioner Davis inquired about whether the proposed project will involve widening Wolfe Road. Senior Planner Jeyaprakash answered that this detail will be reviewed at the development stage of the proposed project. Principal Planner Schroeder added that the South Wolfe Road expansion study contains additional information on improvements for Wolfe Road.

Chair Pyne confirmed with Senior Planner Jeyaprakash that the inclusion of Site 1 would increase the overall square footage on the proposed project site. Chair Pyne stated his support of increased retail on the site adjacent to the proposed project.

Chair Pyne opened the Public Hearing.

Amir Massih, applicant and President at 4Terra Investments, presented additional images and information on the proposed project.

Commissioner Howard questioned the types of businesses that might succeed in the designated commercial space on Site 1. Mr. Massih responded that a coffee shop might be one such business.

Commissioner Howe confirmed with Senior Planner Jeyaprakash that Butcher's Corner is designated for both retail and office use.

Mr. Massih addressed earlier concerns shared by Commissioner Serrone regarding soil contamination on the proposed project site.

Commissioner Davis commented that the inclusion of a daycare and/or preschool on the proposed project site might be beneficial.

Commissioner Serrone presented feasible strategies for integrating retail on the proposed project site. Mr. Massih assured the Commissioners that any project he proposes to the Commission would be the one developed. Mr. Massih also

explained that retail spaces are currently not economically viable.

Chuck Fraleigh, Vice Chair of Livable Sunnyvale, noted that Livable Sunnyvale is in support of the proposed General Plan Amendment since it will provide the opportunity to build needed housing, especially affordable housing units, in the southern portion of the City. He added that the proposed project will make better use of the existing site.

Agnes Veith, Sunnyvale resident and Livable Sunnyvale member speaking on her own behalf, noted that Livable Sunnyvale sent a letter of support to the City Council in September 2021. She also spoke in support of the General Plan Amendment and emphasized that the proposed development will provide needed housing.

Chair Pyne closed the Public Hearing.

At Commissioner Serrone's request, Senior Planner Jeyaprakash explained why a Planned Development combining district would be retained for Site 3 rather than proposed for Site 2.

MOTION: Commissioner Howard moved and Commissioner Howe seconded the motion to recommend that the City Council take the following actions related to the General Plan Amendment and Rezoning:

- a. Make the Findings required by CEQA (Attachment 3) and Adopt the Mitigated Negative Declaration (Attachment 10);
- b. Adopt a Resolution (Attachment 4) to Amend the General Plan Designation for the two parcels at 1313 South Wolfe Road from Commercial to Medium Density Residential;
- c. Make the Finding that the General Plan Amendment and Rezoning is deemed to be in the public interest (Attachment 3); and
- d. Introduce an Ordinance (Attachment 5) to Rezone 1313 South Wolfe Road (APN 309-10-026) from Neighborhood Commercial with a Planned Development Combining District (C-1/PD) to Medium Density Residential with a Mixed-Use Combining District (R-3/MU) and 1313 South Wolfe Road (APN 309-10-027) from C-1/PD to Medium Density Residential with a Planned Development Combining District (R-3/PD).

Chair Pyne confirmed with staff that the motion should be interpreted as including the stated modifications to CEQA Finding 4 in Attachment 3 and the language in Attachments 4 and 5 clarifying that the environmental mitigation measures will be incorporated into the future project.

Commissioner Howard stated that there is much to gain from this General Plan Amendment and rezoning and explained why.

Commissioner Howe commented that the proposed development is a nice change since it will include for-sale housing.

Commissioner Davis voiced his support of the motion since the proposed project addresses the City's housing needs.

Commissioner Shukla spoke in support of the motion and the proposed project.

Chair Pyne stated that he is supportive of motion, shared his wish that the proposed project site could support a higher density, and noted his preference for the development of additional housing with potential retail space instead of a vacant lot that will be the alternative.

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 recommendation will be forwarded to the City Council for consideration at the May 7, 2024 meeting.