



City of Sunnyvale

Meeting Minutes

Planning Commission

Monday, August 28, 2023

7:00 PM

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

Special Meeting: 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: 6 - Chair Martin Pyne
Commissioner Galen Kim Davis
Commissioner Daniel Howard
Commissioner John Howe
Commissioner Michael Serrone
Commissioner Neela Shukla

Absent: 1 - Vice Chair Nathan Iglesias

Vice Chair Iglesias' absence is excused.

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

There were no public speakers for this agenda item.

MOTION: Commissioner Howe moved and Commissioner Shukla seconded the

motion to approve the Consent Calendar.

The motion carried by the following vote:

Yes: 6 - Chair Pyne
 Commissioner Davis
 Commissioner Howard
 Commissioner Howe
 Commissioner Serrone
 Commissioner Shukla

No: 0

Absent: 1 - Vice Chair Iglesias

1. [23-0844](#) Approve Planning Commission Meeting Minutes of August 14, 2023
 Approve Planning Commission Meeting Minutes of August 14, 2023 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

2. [23-0704](#) **Proposed Project:** Related applications on a 0.40-acre site:
SPECIAL DEVELOPMENT PERMIT: to allow demolition of an existing one-story single-family residence and construct eight three-story townhomes.
TENTATIVE MAP: to subdivide the parcel into eight lots plus a common lot.
Location: 444 Old San Francisco Road (APN: 211-01-031)
File #: 2020-7112
Zoning: R-4/PD (High Density Residential/Planned Development Combining District)
Applicant / Owner: Silicon Valley Wzredwood Capital LLC (Applicant/Owner)
Environmental Review: A Class 32 Categorical Exemption relieves this project from California Environmental Quality Act (CEQA) provisions.
Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Senior Planner Aastha Vashist presented the staff report with a slide presentation. She clarified that the average residential unit size for the proposed project is 2,490 square feet. She also added that these units will include fiber glass entry doors and steel garage doors with a faux-wood finish.

At Commissioner Davis' request, Senior Planner Vashist explained why the proposed project will include eight residential units although the General Plan Policy

HE-4.3 requires at least nine units for the proposed project site. Senior Planner Vashist also clarified how the proposed project is substantially compliant with the intent of this policy.

Commissioner Davis confirmed with Senior Planner Vashist that the sidewalk on the proposed project site will be widened.

Commissioner Davis asked about the allowable density for the proposed project site if the proposed project had included affordable housing units. Senior Planner Vashist stated that she would provide an answer at a later time.

Commissioner Davis confirmed with Senior Planner Vashist that the proposed project's setbacks on the side abutting the adjacent senior housing development is 15 feet. Senior Planner Vashist also confirmed that the overall height of the proposed project is 47 feet where 55 feet is allowed.

Commissioner Shukla confirmed with Senior Planner Vashist that the proposed project's community space may be utilized by all residents of the proposed project.

Commissioner Shukla and Senior Planner Vashist discussed the naming process for the new street addresses of the proposed project's residential units.

Commissioner Serrone confirmed with Senior Planner Vashist that the proposed project is subject to the City's Reach Codes pertaining to EV chargers.

Commissioner Serrone confirmed with Senior Planner Vashist that the applicant's acoustical consultant will review the proposed project's final construction drawings and determine that all proposed measures to reduce noise will meet City standards.

Commissioner Serrone inquired about Americans with Disabilities Act (ADA) requirements that the proposed project is subject to. Senior Planner Vashist stated that the applicant may provide additional details on this subject.

Commissioner Serrone confirmed with Senior Planner Vashist that although the applicant applied for a Senate Bill No. 330 (SB 330) Preliminary Application, this permit is not required of all developments.

Chair Pyne confirmed with Senior Planner Vashist that the process for determining the street address for each of the proposed project's residential units will take place

at the building permit stage. Principal Planner George Schroeder added that each unit will likely be assigned a designated number.

Chair Pyne expressed his concerns about the legality of allowing the proposed project to deviate from such objective standards and policies as constructing a minimum of 75% of the maximum allowable zoning density. Senior Planner Vashist and Principal Planner Schroeder explained that projects are reviewed on an individual basis and deviations are discretionary. They added that, in this case, a deviation to the aforementioned policy was supported since the proposed project provides home ownership opportunities, and it is not able to include an additional unit due to constraints posed by the proposed project site.

Commissioner Howard inquired about the applicant's choice to pay an in-lieu fee to satisfy the requirement of 1.2 Below Market Rate (BMR) units. Senior Planner Vashist stated that the applicant may elaborate on this matter later.

Chair Pyne opened the Public Hearing.

Henry Hong Zeng, architect for the proposed project, presented additional information about the proposed project.

Commissioner Serrone discussed with Mr. Zeng and Joyce Liu (representative of the property owner) the features of the proposed project's ADA unit and the codes it must comply with.

Commissioner Davis confirmed with Senior Planner Vashist that recessed windows for the proposed project were recommended and not required.

Diana Lord spoke in support of the proposed project's design and ability to provide housing. She also discussed her concerns regarding the negative impacts that the proposed project will have upon noise, traffic, and parking on the adjacent senior housing development's parking lot.

Chair Pyne discussed with Ms. Lord the current process for regulating unauthorized parking at the senior housing development's parking lot.

Ms. Liu presented additional information about the proposed project.

Commissioner Shukla and Ms. Liu deliberated upon the proposed project's initial

application and its evolution to its current state.

Chair Pyne closed the Public Hearing.

Commissioner Howard confirmed with Senior Planner Vashist that the Planning Commission is not required to address the in-lieu fee requested by the applicant to satisfy the BMR requirement since this matter is not under their discretion.

Commissioner Davis commended the proposed project's ability to provide sizeable ownership units that may support a three-generation household. He also recognized that the proposed project complies with almost all of the City's objective standards.

Commissioner Shukla applauded the applicant for considering feedback provided by the Planning Commission at a previous study session. She complimented the proposed project's inclusion of a living room and half bathroom on the first floor, its ability to act as multigenerational housing, and its use of trees that will mitigate street sound. She also noted her concerns regarding the proposed project's lack of street parking and insufficient lighting for its common space.

MOTION: Commissioner Howe moved and Commissioner Howard seconded the motion to approve Alternative 1 – Make the required Findings to approve the CEQA determination that the project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15332 as noted in Attachment 3 and approve the Special Development Permit and Tentative Map subject to the Findings in Attachment 3, the Recommended Conditions of Approval in Attachment 4, and the noted clarifications in the staff report.

The clarifications to the staff report are as follows:

- 1.) The average residential unit size is 2,490 square feet.
- 2.) The fiber glass entry doors and steel garage doors with a faux-wood finish would complement the proposed architectural style.

Commissioner Howe stated that the parking requirements for the proposed project have been met, and the inclusion of an additional residential unit would reduce the square footage of the planned number of residential units for the proposed project.

Commissioner Howard spoke in overall support of the proposed project.

Commissioner Serrone voiced his support of the motion and the proposed project. He also noted available parking options surrounding the proposed project site and stated that the fence that will be located on the street frontage of the proposed project site will serve decorative purposes if not act as a buffer for noise.

Commissioner Davis confirmed his support of the motion and emphasized that the proposed project meets the City’s parking requirements.

Chair Pyne expressed his support of the motion. He added that while he would have favored the inclusion of more units, findings for the deviation to the General Plan Policy HE-4.3 are substantially met to support the planned number of units for the proposed project. He also stated that findings for the requested deviation to the setback requirements are met. He applauded the proposed project’s compliance with green space and parking lot shading requirements and its ability to provide ownership opportunities. Lastly, he advocated for a new parking enforcement system for the adjacent senior housing development to prevent unauthorized visitors from occupying parking spaces.

The motion carried by the following vote:

- Yes: 6 -** Chair Pyne
- Commissioner Davis
- Commissioner Howard
- Commissioner Howe
- Commissioner Serrone
- Commissioner Shukla

No: 0

Absent: 1 - Vice Chair Iglesias

This decision is final unless appealed or called up for review by the City Council by 5:00 PM on Tuesday, September 12, 2023.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

None.

INFORMATION ONLY REPORTS/ITEMS

None.

3. [23-0845](#) Planning Commission Proposed Study Issues, Calendar Year: 2024
(Information Only)

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

None.

-Staff Comments

Planning Officer Shaunn Mendrin informed the Commissioners that the appeal of the proposed project at 148 and 156 Crescent Avenue will be considered at the City Council meeting of August 29, 2023.

Planning Officer Mendrin advised that the Planning Commission meeting of September 11, 2023 is canceled.

Planning Officer Mendrin stated that there will be a joint meeting of the City Council with Board and Commission Chairs and Vice Chairs on November 14, 2023.

Planning Officer Mendrin announced that the training offered by the Department of Public Safety regarding the security of the Council Chambers and Bay Conference Room has been rescheduled to Tuesday, October 24, 2023 at 6 p.m.

ADJOURNMENT

Chair Pyne adjourned the meeting at 8:37 PM.