



City of Sunnyvale

Notice and Agenda

Planning Commission

Monday, January 9, 2023

5:30 PM

Online Meeting: City Web Stream |
Comcast Channel 15 | AT&T Channel 99

Special Meeting: Study Session - 5:30 PM | Public Hearing - 7:00 PM

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

Special Teleconference Notice

Because of the COVID-19 emergency and the health orders issued by Santa Clara County and the State of California, this meeting of the Sunnyvale Planning Commission will take place by teleconference, as allowed by Government Code Subdivision 54953(e) and Resolution No. 1089-21 (reaffirmed December 13, 2022).

Public Participation

• *Teleconference participation: You may provide audio public comment by connecting to the teleconference 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)).

5:30 P.M. STUDY SESSION

Call to Order

Call to Order via teleconference.

Roll Call

Study Session

The public may provide comments regarding the Study Session item(s). If you wish to address the Planning Commission, please refer to the notice at the beginning of this agenda.

- A.** [23-0135](#) **Proposed Project:** Related applications on a 6.13-acre site:
 USE PERMIT: to demolish existing medical office buildings and construct a mixed-use development project including 110 condominium units and 35,393 square feet of office space.
 TENTATIVE PARCEL MAP: to create 110 condominiums.
Location: 877 West Fremont Avenue (APN: 202-23-007)
File #: 2021-7922
Zoning: O (Office)
Applicant/Owner: Silver Lake Foothill LLC (applicant and owner)
Environmental Review: No additional review required as per CEQA Guidelines 15168(c)(2) and (4) - environmental impacts of the project are addressed in the Land Use and Transportation Element (LUTE) Environmental Impact Report (EIR).
Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

- B.** [23-0131](#) **Proposed Project:** Related applications on a 5.82-acre combined site:
 SPECIAL DEVELOPMENT PERMIT: to demolish an existing surface parking lot at the rear of two existing office buildings and construct 225 apartment units at a density of 112 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 building lots, resulting in a 3.82-acre lot for the office buildings and a 2-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

Applicant/Owner: Prometheus Real Estate Group (applicant) /1150 Kifer LP (owner)

Environmental Review: No additional review required as per CEQA Guidelines 15168(c)(2) and (4) - environmental impacts of the project are addressed in the Lawrence Station Area Plan (LSAP) Subsequent Environmental Impact Report (SEIR)

Project Planner: George Schroeder, (408) 730-7443, gschroeder@sunnyvale.ca.gov

Adjourn Study Session

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Call to Order via teleconference.

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. [23-0132](#) Approve Planning Commission Meeting Minutes of December 12, 2022

Recommendation: Approve Planning Commission Meeting Minutes of December 12, 2022 as submitted.

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. [23-0130](#) Forward Recommendation to City Council to Approve the Non-Residential Housing Mitigation Fee Nexus Study and Adopt a Resolution Amending the Housing Impact Fee for Non-Residential Development (Study Issue) and Find the Actions are Exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15378 (b)(4)

Recommendation: Alternatives 1 and 3: Recommend that the City Council Approve the Non-Residential Housing Mitigation Fee Nexus Study and Adopt a Resolution Amending the Housing Impact Fee for Non-Residential Development for Office/R&D Development to Increase the Fee to \$11 per Square Foot for the First 25,000 Square Feet and \$22 per Square Foot for All Remaining Square Feet, Adjusted Annually for Inflation, with No Changes to the Fee Schedule for Retail, Lodging, and Industrial.

3. [23-0134](#) **Proposed Project:** Related applications on a 0.93-acre site:
 USE PERMIT for a new six-story hotel with 152 rooms, and
 VARIANCE to allow 14.5% parking lot shading where a
 minimum of 50% is required.
Location: 1220 Oakmead Parkway (APN: 216-44-048)
File #: 2022-7080
Zoning: Industrial and Service (M-S)
Applicant / Owner: Arris Studio Architects (applicant) / BPR
Properties UCSC LLC (owner)
Environmental Review: The project is consistent with the Land Use and Transportation Element (LUTE) of the City's General Plan and no additional environmental review is required pursuant to CEQA Guidelines Section 15183 and Public Resources Code Section 21083.3.
Project Planner: Kelly Cha, (408) 730-7408, kcha@sunnyvale.ca.gov

Recommendation: Alternative 1: Make the findings required to approve the CEQA determination that the project is consistent with the City's General Plan and no additional environmental review is required as noted in the checklist in Attachment 5, and approve the Use Permit and Variance based on the Recommended Findings in Attachment 3, and Recommended Conditions of Approval in Attachment 4.

4. [23-0133](#) Selection and Ranking of Potential 2023 Study Issues

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

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 at sunnyvaleca.legistar.com/calendar.aspx 72 hours before the meeting.

*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.