



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, January 13, 2025

7:00 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086

No Study Session | Public Hearing - 7:00 PM

NO STUDY SESSION

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Iglesias called the meeting to order at 7:00 PM.

SALUTE TO THE FLAG

Chair Iglesias led the salute to the flag.

ROLL CALL

Present: 6 - Chair Nathan Iglesias
Vice Chair Galen Kim Davis
Commissioner Chris Figone
Commissioner Martin Pyne
Commissioner Michael Serrone
Commissioner Ilan Sigura
Absent: 1 - Commissioner Neela Shukla

Commissioner Shukla's absence is excused.

ORAL COMMUNICATIONS

Chair Iglesias announced that recruitment is underway for the City's Board of Library Trustees. He provided some details on the application and interview processes.

There were no public speakers for this agenda item.

CONSENT CALENDAR

There were no public speakers for this agenda item.

MOTION: Commissioner Pyne moved and Vice Chair Davis seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

Yes: 6 - Chair Iglesias
Vice Chair Davis
Commissioner Figone
Commissioner Pyne
Commissioner Serrone
Commissioner Sigura

No: 0

Absent: 1 - Commissioner Shukla

1. [25-0068](#) Approve Planning Commission Meeting Minutes of December 9, 2024

Approve Planning Commission Meeting Minutes of December 9, 2024 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

2. [25-0162](#) **Proposed Project:** Related applications on a 1.0-acre site:
SPECIAL DEVELOPMENT PERMIT: to allow construction of six new two-story single-family homes; and,
VESTING TENTATIVE MAP: to create six single-family lots and one common lot.
Location: 640 Lakehaven Drive (APN: 110-16-040)
File #: PLNG-2023-0138
Zoning: R-0/PD (Low Density Residential/Planned Development)
Applicant / Owner: SDG Architects, INC. (applicant) / GSJ & 2LLC (owner)
Environmental Review: A Class 32 Categorical Exemption relieves this project from California Environmental Quality Act (CEQA) provisions.
Project Planner: Mary Jeyaprakash, (408) 730-7449, mjeyaprakash@sunnyvale.ca.gov

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

Commissioner Pyne noted that according to the General Plan, the highest level of exterior noise exposure that is regarded as “normally acceptable” for residential low-density detached single-family homes is 60 decibels A (dBA). However, the staff

report states that the normally acceptable noise limit for private rear yards should be no more than 65 dBA. He asked for clarification regarding this discrepancy. He also added that the Planning Commission may have some discretion to permit the higher dBA allowance for the proposed project due to Policy SN-8.9 in the General Plan. Senior Planner Jeyaprakash ensured that mitigation measures will be practiced to limit noise levels surrounding the proposed project as much as is feasibly possible.

Upon Commissioner Serrone's request, Senior Planner Jeyaprakash elaborated on the indoor air filtration systems to be installed within the proposed developments. She also provided details of other air quality mitigation measures to be implemented.

Commissioner Serrone confirmed with Senior Planner Jeyaprakash that the CalGreen residential checklist will be reviewed for the proposed project at a later stage by the City's Building Division.

Commissioner Sigura asked about how the proposed developments' indoor air filtration systems will be maintained over the years. He also shared his concerns regarding the available street parking and the width of the driveways for the proposed developments. Senior Planner Jeyaprakash explained that the Covenants, Conditions, and Restrictions for the proposed developments will include the Conditions of Approval for the proposed project which states that such indoor air filtration systems must be in use. She also added that the proposed project exceeds the parking standard of 2.4 unassigned parking spaces since it will provide 4.

Vice Chair Davis reiterated concerns raised by Commissioner Pyne regarding the noise level for the proposed single-family homes exceeding 60 dBA. He also spoke in agreement with Commissioner Pyne in that Policy SN-8.9 permits noise levels higher than 60 dBA if appropriate noise reduction measures are incorporated into the proposed project.

Vice Chair Davis confirmed with Senior Planner Jeyaprakash that a Vibration Impact Assessment was conducted for the proposed project.

Senior Planner Jeyaprakash referenced text on pages 6-34 and 6-35 of the General Plan Amendment which states that for projects located along major transportation corridors, the normally acceptable exterior noise limit of 60 dBA may be exceeded for certain areas of the proposed project site once a detailed noise study is conducted, which includes noise reduction measures that are incorporated into the

project's design.

Commissioner Figone confirmed with Senior Planner Jeyaprakash that the private road for the proposed project will be maintained through the Homeowner's Association.

Commissioner Figone noted that the mailboxes for the proposed developments are located at a great distance from the proposed developments. He asked whether they might be moved closer in consideration of disabled or elderly residents. Senior Planner Jeyaprakash answered that the mailboxes may be located on each of the proposed lots instead.

Chair Iglesias and Senior Planner Jeyaprakash discussed how the proposed developments are two-story single-family homes in a neighborhood that is predominantly made up of one-story single-family homes.

Chair Iglesias confirmed with Senior Planner Jeyaprakash that the proposed project does not qualify for Senate Bill 330 and Senate Bill 35.

At Chair Iglesias' request, Senior Planner Jeyaprakash provided an explanation on the ninth slide of the staff presentation.

Chair Iglesias opened the Public Hearing.

Thad Triplett (Project Manager at SDG Architects Inc.) presented additional information on the proposed project.

Commissioner Serrone confirmed with Mr. Triplett that the ground floor of the proposed developments will be at a higher elevation than the curbs on Lakehaven Drive. Mr. Triplett added that since the proposed project site is not located in a flood zone, there should be no flooding concerns.

Commissioner Serrone confirmed with Mr. Triplett that the width of the stairway in the proposed developments is sufficient to support a stairlift.

There were no public speakers for this agenda item.

Chair Iglesias closed the Public Hearing.

Vice Chair Davis expressed his concerns about setting a precedent by approving a proposed project that exceeds the highest level of exterior noise exposure that is regarded as “normally acceptable” by the General Plan. Senior Assistant City Attorney Sandra Lee assured him that there is additional basis to allow a proposed project like this one to go forward despite not meeting the noise standard.

MOTION: Vice Chair Davis moved and Chair Iglesias seconded the motion to approve Alternative 1 – Approve the Special Development Permit and Vesting Tentative Map with a modification to the recommended findings in Attachment 3 and conditions of approval in Attachment 4.

The recommended findings in Attachment 3 are modified to include the following additional language: The project is subject to the General Plan exterior noise standard of 60 dBA (for low-density detached single-family homes) and is consistent with Policy SN-8.9, which allows higher noise levels for projects that incorporate all appropriate noise reduction measures.

Vice Chair Davis spoke in overall support of proposed project.

Chair Iglesias spoke in support of the proposed project and stated that the findings for the proposed project have been met.

Commissioner Serrone voiced his support of the motion and the proposed project.

Commissioner Sigura confirmed his support of the proposed project and noted it that it will be a good addition to the existing neighborhood.

Commissioner Pyne shared his thoughts on the proposed project and the findings it meets.

The motion carried by the following vote:

Yes: 6 - Chair Iglesias
Vice Chair Davis
Commissioner Figone
Commissioner Pyne
Commissioner Serrone
Commissioner Sigura

No: 0

Absent: 1 - Commissioner Shukla

This decision is final unless appealed or called up for review by the City Council by 5:00 PM on Tuesday, January 28, 2025.

3.[25-0058](#)

Proposed Project:

Forward to City Council recommendations related to Study Issue CDD 23-02 - Consider General Plan Land Use Designation Amendments and Rezoning for 27 Legal Non-Conforming Single- and Two-Family Dwellings, Housing Element Program H45, and Land Use and Transportation Element (LUTE) Policy LT-14.5d:

1. Adopt a Resolution Amending the General Plan to:

- a. Change the General Plan land use designation for the property at 591 South Murphy Avenue (APN 209-30-012) with a legal nonconforming single-family use, from El Camino Real Specific Plan to Low-Medium Density Residential, and remove the property from the El Camino Real Specific Plan area;
- b. Change the General Plan land use designation for the properties at 260 North Pastoria Avenue (APN 165-27-003), 280 North Pastoria Avenue (APN 165-27-004), 286 North Pastoria Avenue (APN 165-27-005) and 290 North Pastoria Avenue (APN 165-27-006) with legal nonconforming residential uses, from Peery Park Specific Plan to Low Density Residential, and remove the parcels from the Peery Park Specific Plan area; and
- c. Change the General Plan land use designation for 22 legal non-conforming single-family and two-family dwelling sites at 411, 415 and 421 Charles Street, 433, 434, 437 and 440 Waverly Street, 572, 602, 656, 702 and 798 West Iowa Avenue, 428, 432 and 435 Florence Street, and 1301 -1320 Oxbow Court, from Office to Low-Medium Density Residential.

2. Introduce an Ordinance Amending the Zoning Districts Map, to:

- a. Rezone the property at 591 South Murphy Avenue from El Camino Real - Commercial (ECR-C) to Low Medium Density Residential/Office (R-2/O);
- b. Rezone the properties at 260, 280, 286 and 290 North Pastoria Avenue from Peery Park Specific Plan/Mixed Industry Core (PPSP/MIC) to Low Density Residential (R-0);
- c. Rezone the properties at 411, 415 and 421 Charles Street,

433, 434, 437 and 440 Waverly Street, 572, 602, 656, 702 and 798 West Iowa Avenue, 428, 432 and 435 Florence Street, and 1301-1320 Oxbow Court from Administrative-Professional Office/Planned Development (O/PD) to Low Medium Density Residential (R-2);

3. Introduce an Ordinance Amending the Zoning Districts Map, to:

Rezone sites within the Industrial to Residential (ITR) combining district that have redeveloped as residential uses from Industrial and Service (M-S), General Industrial (M-3) or the combined Neighborhood Business/Industrial-to-Residential/Medium Density Residential/Planned Development (C-1/ITR/R3/PD) zoning district, all to Medium Density Residential/Planned Development (R3/PD); the subject sites are spread throughout the city in five areas, generally bounded by (a) Tasman Drive, Morse Avenue, John W. Christian Greenbelt and Fair Oaks Avenue, (b) E. Duane Avenue, Lawrence Expressway, Stewart Drive and Britton Avenue, (c) E. Maude Avenue and N. Wolfe Road, Britton Avenue, E. Arques Avenue and Fair Oaks Avenue, and (d) Caltrain rail tracks, S. Wolfe Road, Old San Francisco Road and S. Fair Oaks Avenue, and (e) Caltrain rail tracks, Laurence Expressway, Old San Francisco Road and Reed Avenue and Wolfe Avenue; and

4. Introduce an Ordinance Amending the Zoning Districts Map, and to:

Rezone any of the following future opportunity sites located at 455 and 920 De Guigne Drive, and 835, 845, and 935 Stewart Drive, in East Sunnyvale from Industrial and Service (M-S) to Industrial and Service/Industrial to Residential/Medium Density Residential/Planned Development (M-S/ITR/R-3/PD).

5. Introduce an Ordinance to Amend Title 19 (Zoning) of the Municipal Code to:

Amend Section 19.26.120 of Chapter 19.26 (Combining Districts) to provide that once a site zoned Industrial to Residential (ITR) has been converted to residential use, the site cannot be returned to a use not allowed in a residential zoning district.

Location: Citywide; see Attachments 7 and 8

File #: PLNG-2024-0460

Applicant: City of Sunnyvale---

Environmental Review: Exempt per California Environmental Quality

Act Guidelines Sections 15061(b)(3) and 15183.

Project Planner: Wendy Lao, (408) 730-7408, wlao@sunnyvale.ca.gov

Associate Planner Wendy Lao presented the staff report with a slide presentation.

Commissioner Figone inquired why sites 4, 5, and 6 on slide 15 of the staff presentation were not included as areas to be rezoned. Associate Planner Lao explained that these industrial sites either have contamination and/or an existing deed restriction that prohibit residential use until adequate environmental cleanup has occurred.

Commissioner Figone asked why an ITR (Industrial to Residential)-zoned site that has transitioned to residential use may not be returned to its industrial use. Principal Planner Julia Klein clarified that the proposed amendment would update the zoning code to align with existing General Plan policy and that if there is interest in the future to rezone sites back to industrial use, property owners may apply to amend the General Plan to remove residential units and convert the sites to industrial use. Staff does not anticipate this happening in the foreseeable future.

Commissioner Serrone questioned whether there is any concern about placing residential developments near a Superfund site. Principal Planner Klein explained that when the sites are proposed for redevelopment, there will be project-specific environmental studies that will be conducted to determine whether the level of contaminants on site is acceptable or may be mitigated to an acceptable level for housing development. She added that coordination with other regulatory agencies will be necessary to clean up the sites.

Commissioner Serrone confirmed with Planning Officer Shaunn Mendrin that changing the zoning designation for sites in East Sunnyvale did not require a California Environmental Quality Act (CEQA) review since an Environmental Impact Report was already conducted when these sites were designated for residential use in the General Plan.

Commissioner Serrone confirmed with Planning Officer Mendrin that Agape Grill may be impacted by the rezoning process.

Commissioner Serrone and Planning Officer Mendrin discussed how the designated use for the Allario Shopping Center located across from 591 S. Murphy Avenue is intended to remain commercial.

Vice Chair Davis confirmed with Planning Officer Mendrin that this program and any others in our Housing Element will need to be completed to maintain the City's certification with California Department of Housing and Community Development (HCD).

At Vice Chair Davis' request, Planning Officer Mendrin provided information on the office overlay on Murphy Avenue and that it is intended to serve as a transition between El Camino Real commercial uses and the residential uses further north along Murphy Avenue.

Commissioner Pyne confirmed with Planning Officer Mendrin that there is no compliance risk by not changing the zoning designation for sites encumbered by either significant pollutants or deed restrictions.

Chair Iglesias opened the Public Hearing.

Wesley Yu, Sunnyvale resident, spoke in support of the General Plan land use designation amendments and rezoning for 27 legal non-conforming single- and two-family dwellings.

Chair Iglesias closed the Public Hearing.

MOTION: Commissioner Pyne moved and Vice Chair Davis seconded the motion to recommend Alternative 1 to the City Council:

Adopt the resolution and ordinances amending the General Plan, Specific Plans, Zoning Map and Zoning Code; and find the proposed actions exempt under CEQA, as set forth in Attachments 2 to 6 to the staff report.

Commissioner Pyne spoke in overall support of the motion.

Vice Chair Davis voiced his support of the motion.

The motion carried by the following vote:

Yes: 6 - Chair Iglesias
Vice Chair Davis
Commissioner Figone
Commissioner Pyne
Commissioner Serrone
Commissioner Sigura

No: 0

Absent: 1 - Commissioner Shukla

This recommendation will be forwarded to the City Council for consideration at the January 28, 2025 meeting.

4. [25-0073](#) Selection and Ranking of Potential 2025 Study Issues

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

Commissioner Pyne confirmed with Principal Planner Schroeder that the Planning Commission may not combine study issues not sponsored by the Planning Commission.

Commissioner Pyne asked about the Sustainability Commission's thoughts on study issue CDD 24-02 since it was sponsored prior to City Council's adoption of the Climate Action Playbook Update and Game Plan 2028. Principal Planner George Schroeder noted that this study issue was deferred by the Sustainability Commission last year and is on the list of study issues to be ranked for 2025.

Chair Iglesias confirmed with Principal Planner Schroeder that any study issues that are dropped or deferred by the Planning Commission do not have to be ranked.

Upon Chair Iglesias' request, Principal Planner Schroeder explained the staff recommendation to either defer or drop each of the proposed 2025 study issues.

Chair Iglesias opened the Public Hearing.

There were no public speakers for this agenda item.

Chair Iglesias closed the Public Hearing.

MOTION: Commissioner Sigura moved and Commissioner Figone seconded the motion to drop study issue CDD 25-03.

Commissioner Sigura stated that he is not supportive of the study issue and noted that funding for other study issues should be prioritized.

Commissioner Figone shared that due to associated costs, he is unable to support the study issue.

Commissioner Pyne noted that while he is not supportive of the study issue moving forward this year, he is supportive of deferring it so that it may be evaluated later.

The motion failed by the following vote:

Yes: 2 - Commissioner Figone
Commissioner Sigura

No: 4 - Chair Iglesias
Vice Chair Davis
Commissioner Pyne
Commissioner Serrone

Absent: 1 - Commissioner Shukla

MOTION: Vice Chair Davis moved and Commissioner Pyne seconded the motion to drop study issue DPW 25-06.

Vice Chair Davis highlighted the opportunity cost associated with prioritizing this study issue.

Commissioner Pyne spoke in agreement with Vice Chair Davis.

The motion carried by the following vote:

Yes: 6 - Chair Iglesias
Vice Chair Davis
Commissioner Figone
Commissioner Pyne
Commissioner Serrone
Commissioner Sigura

No: 0

Absent: 1 - Commissioner Shukla

MOTION: Commissioner Pyne moved and Vice Chair Davis seconded the motion to drop study issue ESD 24-02.

Commissioner Pyne commented that the study issue is already being addressed by the Climate Action Playbook Update and Game Plan 2028.

Vice Chair Davis agreed with Commissioner Pyne in that the study issue is redundant.

The motion carried by the following vote:

Yes: 6 - Chair Iglesias
Vice Chair Davis
Commissioner Figone
Commissioner Pyne
Commissioner Serrone
Commissioner Sigura

No: 0

Absent: 1 - Commissioner Shukla

Commissioner Serrone voiced his support for dropping study issue ESD 25-01 and explained why.

MOTION: Commissioner Serrone moved and Commissioner Pyne seconded the motion to drop study issue ESD 25-01.

Commissioner Pyne noted the similarity between study issues ESD 25-01 and LRS 25-02. He added that since combining the two study issues is not a possibility, he is supportive of dropping study issue ESD 25-01 and deferring study issue LRS 25-02.

The motion carried by the following vote:

Yes: 6 - Chair Iglesias
Vice Chair Davis
Commissioner Figone
Commissioner Pyne
Commissioner Serrone
Commissioner Sigura

No: 0

Absent: 1 - Commissioner Shukla

MOTION: Commissioner Serrone moved and Commissioner Sigura seconded the motion to drop study issue LRS 25-02.

Commissioner Serrone explained his reasoning for supporting the dropping of this study issue.

Commissioner Sigura spoke in agreement with Commissioner Serrone.

The motion carried by the following vote:

Yes: 4 - Chair Iglesias
Commissioner Figone
Commissioner Serrone
Commissioner Sigura

No: 2 - Vice Chair Davis
Commissioner Pyne

Absent: 1 - Commissioner Shukla

MOTION: Vice Chair Davis moved to defer study issue CDD 25-02.

The motion failed for lack of a second.

MOTION: Commissioner Pyne moved and Vice Chair Davis seconded the motion to defer study issue CDD 25-03.

Commissioner Pyne explained why this study issue should be evaluated at a later time.

Vice Chair Davis agreed with comments made by Commissioner Pyne.

The motion carried by the following vote:

Yes: 6 - Chair Iglesias
Vice Chair Davis
Commissioner Figone
Commissioner Pyne
Commissioner Serrone
Commissioner Sigura

No: 0

Absent: 1 - Commissioner Shukla

Vice Chair Davis shared his thoughts on study issue CDD 22-05 and stated that, in his opinion, it should be prioritized second. Commissioner Pyne commented that, in his opinion, this study issue will not result in anything productive.

Commissioner Serrone advocated for study issue CDD 24-02 and noted that evaluating it may not take much time. Commissioner Sigura and Commissioner Figone spoke in agreement but noted that they would personally not rank this study issue highly. Chair Iglesias added that this study issue would not be as impactful as others and would not rank it highly.

Commissioner Pyne confirmed that he would rank study issue CDD 24-04 highly but has not decided on the order it should be ranked. Commissioner Figone stated that he would rank it in middle. Vice Chair Davis confirmed with Principal Planner Schroeder that any work associated with this study issue is not already within the scope of the Housing Element.

Commissioner Serrone shared his thoughts on study issue CDD 24-05 and noted that it would not be a time or cost intensive one to complete. Vice Chair Davis agreed that the appeals fee needs to be reevaluated. Commissioner Pyne and Principal Planner Schroeder discussed the overlap between the scope of this study issue and that of the Housing Element. Commissioner Figone spoke in support of the process improvement that will result from this study issue.

Vice Chair Davis stated his intent of ranking study issue CDD 24-06 lowly compared to the other study issues and explained why. Commissioner Serrone shared his opposing view and spoke of the importance of sign visibility.

Commissioner Figone spoke of the benefits that may arise from study issue CDD 25-02 that will come at a high cost. Commissioner Sigura voiced his support of this study issue and stated that he would rank it highly. Vice Chair Davis and Commissioner Serrone shared their conflicted feelings with this study issue.

MOTION: Commissioner Pyne moved and Vice Chair Davis seconded the motion to accept the ranking of the Study Issues from highest priority to lowest priority as follows:

1.) CDD 24-05: Review and Evaluate Appeals Fees and Process

2.) CDD 24-04: Peery Park Specific Plan Amendment (area east of Mathilda Avenue)

3.) CDD 25-02: Identify Opportunities for Allowing Neighborhood-Serving Commercial Uses in Residential Zoning Districts

4.) CDD 24-06: Re-evaluate Nonresidential Sign Code Standards and Compliance with the First Amendment

5.) CDD 22-05: Consider Modifications to the Sunnyvale Municipal Code Related to Underground Utilities

6.) CDD 24-02: Explore the Creation of a Dark Sky Ordinance for all Private Property

Commissioner Pyne urged his fellow Commissioners to vote in support of the motion.

Vice Chair Davis spoke in agreement with Commissioner Pyne's comments.

The motion carried by the following vote:

Yes: 6 - Chair Iglesias
Vice Chair Davis
Commissioner Figone
Commissioner Pyne
Commissioner Serrone
Commissioner Sigura

No: 0

Absent: 1 - Commissioner Shukla

This recommendation will be forwarded to the City Council for consideration at the Study Issues and Budget Proposals Workshop on February 13, 2025.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

None.

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

None.

-Staff Comments

Planning Officer Shaunn Mendrin informed the Planning Commissioners that on January 14, 2025, the City Council will discuss potential Council study issues and budget proposals as well as review the Board and Commission application questions.

Planning Officer Mendrin announced that the City Council retreat is scheduled to take place on January 30, 2025.

Planning Officer Mendrin stated that the first meeting of the Charter Review Committee will be held on February 6, 2025.

Planning Officer Mendrin confirmed that the Study Issues and Budget Proposals workshop will occur on February 13, 2025.

ADJOURNMENT

Chair Iglesias adjourned the meeting at 9:35 PM.